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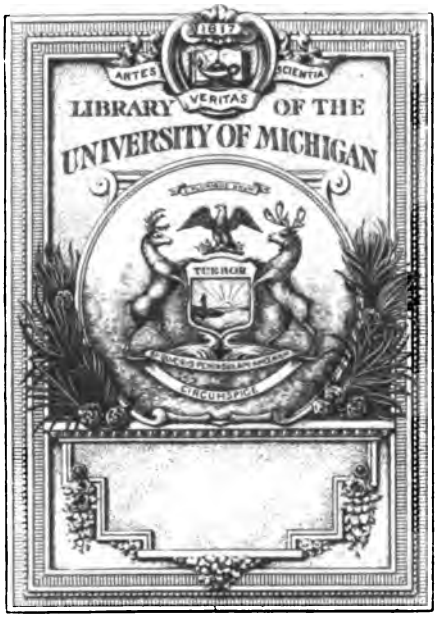
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JOURNAL

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OF THE

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF MICHIGAN,

1846.

Printed by virtue of an Act of the Legislature, under the supervision and direction of

A. W. HOVEY,

CLERK OF THE HOUSE OF REPRESENTATIVES.

DETROIT:

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1846.

HOUSE JOURNAL.

Monday, January 5, 1846.

This being the day designated by the constitution of the state of Michigan for the assembling of the Legislature, and the members of the House of Representatives having assembled at the capitol, they were called to order by Hon. M. H. Patterson of Lenawee county, on whose motion, Hon. Augustus C. Baldwin of Oakland county, was unanimously chosen Speaker *pro tempore*.

On motion of Mr. Groves, of Berrien county, David H. Williams was unanimously chosen Clerk *pro tempore*.

On motion of Mr. Groves,

Isaac Higby was unanimously chosen Sergeant-at-arms, *pro tem*.

The roll being called by counties, it was found that there was a quorum present.

Mr. Patterson, of Lenawee, stated that there were several claimants for seats in this House, from Macomb county, and on his motion,

Payne K. Leech, C. G. Cady, Linus S. Gilbert, and Dewitt C. Walker, were admitted to seats on this floor, with the privilege of speaking, but not of voting.

On motion of Mr. Davis, of Oakland county,

A committee of two was ordered to be appointed to wait on Chief Justice Ransom, and invite him to administer the oath of office to the members.

The Speaker *pro tempore*, appointed as such commttee, Messrs. Davis and Patterson, who, after a short absence, returned and reported that the Chief Justice could not be found.

On motion of Mr. Dunham,

The committee were ordered to invite Hon. Judge D. Goodwin to administer the oath of office.

The committee immediately reported that Judge Goodwin was present.

The oath of office was then administered to the following members:

Allegan and Barry.—William Lewis.

Berrien.—John Groves.

Branch.—William B. Sprague.

Calhoun.—John Barbour, Isaac E. Crary.

Cass and Van Buren.—James L. Glen, Josiah Andrews.

Chippewa.—Placidus Ord.

Clinton and Shiawassee.—Samuel M. Scott.

Eaton and Ingham.—Whitney Jones.

Genessee.—George H. Hazelton.

Hillsdale.—J. B. Graham, John P. Cook.

Jackson.—Marcus Wakeman, F. A. Kennedy, Jr., Austin Blair.

Kalamazoo.—Orrin N. Giddings.

Kent, Ionia and Ottawa.—John L. Morse.

Lapeer.—James W. Sanborn.

Lenawee.—M. A. Patterson, James A. Rice, J. McDonald, J. H. Sweeney.

Livingston.—George W. Peck, Washington Wing.

Michilimackinac.—Charles M. O'Mally.

Monroe.—David A. Noble, Nelson Dunham.

Oakland—John Davis, H. Barrett, J. Thomas, A. C. Baldwin, C. Baldwin, James Webster.

Saginaw.—Charles S. Palmer.

St. Clair.—Hannibal Hollister.

St. Joseph.—Ezra Cole, Isaac D. Toll.

Washtenaw.—J. M. Edmonds, P. C. H. Brotherson, H. Chubb, O. Parsons, D. Pierce, and J. G. Leland.

Wayne.—Geo. E, Hand, Geo. Moran, Conrad Ten Eyck, Elijah Hawley, Jr., M. E. Ames, Thomas Lewis.

Mr. Hazelton offered the following resolution:

Resolved, That a special committee of five be appointed to investigate the claims of Messrs. C. G. Cady, Linus S. Gilbert, Payne K. Leach, and D. C. Walker, from Macomb county, contesting seats in this House.

Mr. Hand moved to amend by admitting the persons holding the certificates to their seats, and that they be sworn in, which amendment did not prevail.

The question recurring upon the original resolution, it was lost.

On motion of Mr. Groves,

The House took a recess for half an hour.

The time for the recess having expired, the House was called to order by the Speaker *pro tempore*.

On motion of Mr. Groves,

The House then proceeded to the election of Speaker, and on calling the roll, the members severally voted as follows:

For ISAAC E. CRARY.

Mr. Ames,	Mr. Hand,	Mr. Patterson,
Andrews,	Hawley,	Peck,
C. Baldwin,	Hollister,	Sprague,
Barbour,	Kennedy,	Sweeney,
Barrett,	T. Lewis,	Ten Eyck,
Cole,	W. Lewis,	Thomas,
Cook,	Moran,	Toll,
Davis,	Morse,	Wakeman
Dunham,	Noble,	Webster,
Glenn,	O'Malley,	Wing,
Graham,	Ord,	Speaker *pro tem.*
Groves,		34

For JAMES M. EDMUNDS.

Mr. Blair,	Mr. Jones,	Mr. Parsons,
Brotherson,	Leland,	Pierce,
Chubb,	McDonald,	Rice,
Giddings,	Palmer,	Sanborn,
Hazelton,		13

For GEORGE H. HAZELTON.

Mr. Edmunds, 1

Whereupon Mr. Crary was declared duly elected Speaker; and

On motion of Mr. Hawley,

Messrs. Hawley and Noble were appointed a committee to wait upon Mr. Crary and inform of his election, and conduct him to the chair.

Mr. Crary having taken the chair, addressed the House as follows:

Gentlemen of the House of Representatives:

I return you my grateful acknowledgments for the office you have conferred upon me. It will be my constant endeavor to discharge its

duties with impartiality and despath, A majority of our constituents desire a short session of the legislature, an economical administration of the government, and in the revision or alteration of their laws, such reforms as are in accordance with the progressive spirit of the age. Let us not disappoint their reasonable wishes, but devote ourselves zealously to their service, with an eye single to the best interests of the State. In discharging the duties of the chair, I shall need your cordial co-operation. This I feel assured, will be given me if my qualifications are such as you have a right to expect from your presiding officer.

I am now ready to take the oath required by the constitution.

On motion of Mr. A. C. Baldwin,

Messrs. A. C. Baldwin and Noble were appointed a committee to wait on one of the Judges of the Supreme Court and administer the oath of office to the Speaker.

The committee reported that they had performed that duty, and that Judge Wing was in attendance, who administered to the Speaker the usual oath of office.

On motion of Mr. Hand,

Messrs. Hand and Andrews were appointed a committee to wait upon the Senate and inform that body that the House was organized and ready to proceed to business.

On motion of Mr. Dunham,

Resolved, That the rules of the last House of Representatives as they existed at the close of the last session be adopted as the rules of this House until otherwise ordered.

Mr. Hazelton offered the following:

Resolved, That the Speaker be authorized to appoint three messengers and one fireman, at a salary not exceeding one dollar and fifty cents per day.

Mr. A. C. Baldwin moved to strike out "three" and insert "two," which motion prevailed.

The resolution as amended was then adopted.

The Speaker announced the following message from the Senate:

SENATE CHAMBER,
Detroit, January 5, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit a joint resolution

relative to joint rules, &c., which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,

Secretary pro tem.

The question being upon concurring in the joint resolution, it was carried in the affirmative.

Mr. Barrett offered the following joint resolution, which was laid upon the table one day, under the rule :

Resolved by the Senate and House of Representatives of the State of Michigan, That in place of the customary mode of furnishing stationery for the use of members of the legislature, each Senator and member of the House shall be entitled to receive dollars, to supply himself with stationery during the session.

The committee to wait upon the Senate, reported that they had discharged their duty, and the committee were discharged.

Senators Littlejohn and Howell were announced, who informed the House that the Senate were organized and ready to proceed to business.

On motion of Mr. Peck,

Messrs Peck and Dunham were appointed a committee to join a like committee on the part of the Senate, and inform the Governor that the two houses were organized and ready to receive any communication he might be pleased to make.

The Speaker announced the following message from the Senate :

SENATE CHAMBER,
Detroit. January 5, 1846.

To the Speaker of the House of Representatives :

SIR—I am instructed by the Senate to inform the House, that Senators Thurber and Chipman have been appointed a committee on the part of the Senate, to join the committee already appointed by the House, to wait upon the Governor, and inform him that the two houses are now organized, and ready to receive any communication he may be pleased to make.

Respectfully, &c.,

JAMES E. PLATT,

Secretary pro tem.

The committee returned after a short absence, and reported, that they had discnarged their duty, and that the Executive had thanked them for their kindness, and informed them that he had no communication to make.

Senators Smith and Fenton announced that the Senate were ready to meet the house in joint convention, and canvass the votes for Governor and Lt. Governor, at the last election.

The Speaker directed the house to be prepared for the reception of the Senate in joint convention.

On motion of Mr. Groves,

Resolved, That the Speaker proceed to appoint the standing committees of the House.

On motion of Mr. Dunham, it was

Resolved, That a committee of two be appointed to wait upon the Senate and inform that body that the House were in readiness to receive them in joint convention, and canvass the votes for Governor and Lieutenant Governor.

The Speaker appointed Messrs. Dunham and Ord, such committee, who returned after a short absence, and reported that they had discharged their duty.

IN JOINT CONVENTION.

The Senators having taken their seats in the hall of the House of Representatives, the convention was called to order by the President of the Senate, and the Senators being called by the Secretary, and the Representatives by the Clerk,

On motion of Senator Howell,

Senator Howell and Mr. Patterson were appointed tellers, who proceeded to canvass the votes for Governor and Lieutenant Governor.

The tellers announced that in canvassing the votes they found by the returns from Genesse county, that there had been cast for the office of Governor seventeen hundred and four votes, while the aggregate amount taken in detail make only twelve hundred and twenty-two votes, and that there was a like discrepancy in the returns for Lieutenant Governor.

The tellers announced further that no returns had been received from Jackson connty.

Senator Fenton moved that the amount of votes as stated in the re-

turns from Genessee county, reported to have been cast for Governor and Lieutenant Governor, be rejected, and that the aggregate be made by summing up the votes cast for all the candidates, which motion prevailed.

Senator Littlejohn moved to reconsider the vote last taken, which motion did not prevail.

On motion of Senator Videto,

Senator Videto and Mr. A. C. Baldwin were appointed a committee to wait upon the Secretary of State and ascertain why he had not discharged his duty in obtaining returns from Jackson county.

The tellers announced that the votes given for Governor and Lt. Governor were as follows, viz:

Alpheus Felch had received for the office of Governor,	20,123
Stephen Vickery,	16,316
James G. Birney,	3,073
Scattering,	77
Total number of votes cast for Governor,	39,589
Wm. L. Greenly received for the office of Lt. Governor,	19,654
John M. Lamb,	16,247
Nathan W. Thomas,	2,859
Scattering,	511
Total,	39,271

Senator Thurber offered the following, which was adopted:

Whereas, It appears from the constitutional canvass, that Alpheus Felch has received the highest number of votes for the office of Governor, therefore,

Resolved by the Joint Convention, That Alpheus Felch be and he is hereby declared duly elected Governor of the State of Michigan.

And whereas, It appears from the constitutional canvass that William L. Greenly has received the highest number of votes for the office of Lieutenant Governor, therefore,

Resolved, by this Joint Convention, That William L. Greenly be and he is hereby declared duly elected Lieutenant Governor of the State of Michigan.

Senator Denton offered the following resolution, which was adopted:

Resolved, That a committee of two be appointed to wait on the Governor and Lieutenant Governor elect, and inform them of their election, and that the convention of the two Houses are in session, and ready to induct them into office.

The President announced Senator Denton and Mr. Groves such committee,

Who returned after a short absence, and presented ALPHEUS FELCH and WILLIAM L. GREENLY to the convention, who subscribed to their respective oaths of office before the chief justice, Hon. Epaphroditus Ransom, and thereupon Governor Felch delivered the following inaugural address:

(See joint documents.)

At the conclusion of the address, on motion of Senator Smith,

The convention adjourned *sine die*.

JAMES E. PLATT,
Secretary of the Senate pro tem.
D. H. WILLIAMS,
Clerk H. R., pro tem.

The House of Representatives was then called to order.

Mr. Noble offered the following resolution, which,

On motion of Mr. Hand,

Was laid on the table:

Resolved, That a committee of two be appointed on the part of the House, to act with such committee as the Senate may appoint, to wait upon the Executive and inform him that the two Houses are now organized and ready to receive any communication which he may deem proper to make.

On motion of Mr. Groves,

The House then adjourned.

Tuesday, January 6, 1846.

The House met pursuant to adjournment, and on calling the roll, Messrs. Ames, Cady and Moran were absent.

The journal of yesterday was read by the clerk pro tem., and approved.

On motion of Mr. Groves,

Resolved, That the House now proceed to elect a Clerk, an enrolling, engrossing and recording Clerk, and a Sergeant-at-arms.

The election of Clerk being first in order, and the roll being called, the representatives rose in their places, and voted as follows:

For AUGUSTINE W. HOVEY.

Mr. Andrews,	Mr. Groves,	Mr. Ord,	
A. C. Baldwin,	Hand,	Patterson,	
C. Baldwin,	Hawley,	Peck,	
Barbour,	Hollister,	Scott,	
Barrett,	Kennedy,	Sweeney,	
Cole,	T. Lewis,	Ten Eyck,	
Cook,	W. Lewis,	Thomas,	
Davis,	Moran,	Wakeman,	
Dunham,	Morse,	Webster,	
Glen,	Noble,	Wing,	
Graham,	O'Malley,	Speaker,	33

For HENRY S. JENNINGS.

Mr. Blair,	Mr. Hazelton,	Mr. Parsons,	
Brotherson,	Jones,	Pierce,	
Chubb,	Leland,	Rice,	
Edmunds,	McDonald,	Sanborn,	
Giddings,	Palmer,		14

The Speaker declared Mr. Hovey duly elected, who thereupon appeared, subscribed the constitutional oath, and entered upon the duties of his office.

The House then proceeded to the election of Engrossing, Enrolling and Recording Clerk, with the following result:

For MICHAEL E. VAN BUREN.

Mr. Andrews,	Mr. Groves,	Mr. Patterson,
A. C. Baldwin,	Hand,	Peck,
C. Baldwin,	Hawley,	Scott,
Barbour,	Hollister,	Sprague,
Barrett,	Kennedy,	Sweeney,
Cole,	T. Lewis,	Ten Eyck,
Cook,	W. Lewis,	Thomas,
Davis,	Moran,	Wakeman,
Dunham,	Noble,	Webster,

Glen,	O'Malley,	Wing,	
Graham,	Ord,	Speaker,	33

For Elijah B. Witherbee.

Mr. Blair,	Mr. Hazelton,	Mr. Parsons,	
Brotherson,	Jones,	Pierce,	
Chubb,	Leland,	Rice,	
Edmunds,	McDonald,	Sanborn,	
Giddings,	Palmer,		14

Mr. Van Buren was declared duly elected Engrossing, Enrolling, and Recording Clerk.

The House then went into an election for Sergeant-at-Arms, which resulted as follows:

For Isaac Higbee.

Mr. Andrews,	Mr. Hand,	Mr. Patterson,	
A. C. Baldwin,	Hawley,	Peck,	
C. Baldwin,	Hollister,	Scott,	
Barbour,	Kennedy,	Sprague,	
Barrett,	T. Lewis,	Sweeney,	
Cole,	W. Lewis,	Ten Eyck,	
Cook,	Moran,	Thomas,	
Davis,	Morse,	Wakeman,	
Dunham,	Noble,	Webster,	
Glen,	O'Malley,	Wing,	
Graham,	Ord,	Speaker,	
Groves,			34

For Zebulon Doty.

Mr. Blair,	Mr. Hazelton,	Mr. Parsons,	
Brotherson,	Jones,	Pierce,	
Chubb,	Leland,	Rice,	
Edmunds,	McDonald,	Sanborn,	
Giddings,	Palmer,		14

Mr. Higbee was thereupon declared duly elected.

UNFINISHED BUSINESS.

The following joint resolution was taken from the table:

Resolved, By the Senate and House of Representatives of the State of Michigan, That in place of the customary mode of furnishing stationery, for the use of the members of the legislature, each Senator and member of the House shall be entitled to receive ——— dollars to supply himself with stationery during the session.

Mr. Peck offered the following as a substitute:

Resolved, That the committee on supplies and expenditures be, and they are hereby instructed and required to keep an accurate ac-

count of supplies and expenditures for the members and officers of the House, charging each member and officer individually with the supplies furnished him, and keep the same at all times in readiness for the inspection of the House.

On motion of Mr. Hand, the resolution and substitute were laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,
January 6, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to inform the House that Senators Smith and Littlejohn have been appointed a committee on the part of the Senate, to join a like committee on the part of the House, to inform the Executive that the two houses are organized, and ready to receive any communication he may be pleased to make.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate pro tem.

On motion of Mr. A. C. Baldwin,

The following resolution was taken from the table and adopted:

Resolved, That a committee of two be appointed on the part of the House, to act with such a committee as the Senate may appoint, to wait upon the Executive and inform him that the two Houses are organized, and ready to receive any communication which he may deem proper to make.

The Speaker appointed Messrs. Groves and Peck such committee, who after a short absence, returned and reported that they had waited on the Governor, and informed him that the two Houses were now in session, and ready to receive any communication he might be pleased to make, and had received for answer, that he would, in a short time, communicate a message in writing.

In a few moments the annual message was received from the Governor, through the hands of C. C. Jackson, Esq., and read by the Clerk.

(See Joint Documents.)

On motion of Mr. Hawley,

Resolved, That the Governor's Message be laid on the table, and

2,500 copies be ordered printed in the English, 250 in the French, and 250 in the German languages.

On motion of Mr. Hand,

The joint resolution relative to supplies, was taken from the table,

And the question being on the adoption of the substitute offered by Mr. Peck, it was lost.

The question then being on filling the blank,

Mr. Andrews moved to insert the word "five."

Mr. Hazelton moved to insert the word "three."

The question being on filling the blank with five, it prevailed.

Mr. Peck moved to amend the resolution so as to read as follows:

Resolved, That in place of the customary mode of furnishing stationery for the use of the legislature, each member of the House shall be entitled to receive five dollars, to supply himself with stationery during the session.

Which motion was lost.

Mr. Hawley offered the following as a substitute, which was lost:

Resolved, That each member of the House furnish himself with stationery for the session, and that he be paid therefor on the certificate of the Speaker of the House, dollars out of the treasury of the State.

Resolved, That in addition to the sum mentioned in the preceding resolution, that the chairmen of the committees be allowed such further sum as shall be judged necessary and proper by the committee of supplies and expenditures.

Mr. Hand moved to amend the resolution by adding the following, which bid not prevail;

And that each committee shall be entitled to be supplied with stationery to the amount of five dollars on the written requisition of the chairman of such committee, expressing that such stationery is needed for the use of such committee.

The joint resolution was then read a second time, and,

On motion of Mr. Patterson,

The rule was suspended and the resolution was read a third time and passed.

The question then being on the title,

On motion of Mr. Hand,

It was entitled "a joint resolution relative to stationery."

On motion of Mr. Davis,

Resolved, That a committee of two be appointed to make arrangements with the Post Master of the city of Detroit for the delivery of communications directed to members of this House, and that they report as soon as practicable.

Messrs Davis and Glen were appointed such committee.

On motion of Mr. A. C. Baldwin,

Resolved, That the Clerk of the House furnish at the expense of the state, to each member of the House of Representatives such newspapers as they shall respectively direct, not exceeding in number two daily papers.

On motion of Mr. Dunham,

Resolved, That the daily sessions of this House will commence at ten o'clock, A. M., until otherwise ordered.

Mr. Barbour offered the following resolution, which on motion of Mr. Hawley, was laid on the table:

Resolved, That the Speaker be authorized to employ a competen person to translate the Governor's message into the German and French languages.

On motion of Mr. C. Baldwin,

Resolved, That the tables of the House of Representatives be furnished with a copy of the revised statutes and session laws of Michigan, and the journals and documents of the last session of the legislature.

On motion of Mr. Hawley,

Resolved, That the sergeant-at-arms act as door keeper until otherwise ordered.

Mr. Ames offered the following resolution, which

On motion of Mr. Patterson, was laid on the table:

Resolved, That a committee of three be appointed to revise the rules of this house, and that they report as soon as practicable.

On motion of Mr. Hawley, the House adjourned.

Wednesday, Jan. 7, 1846.

The House met pursuant to adjournment, was called to order by the Speaker, and on calling the roll, Messrs. Graham, Hand, Hazleton, T. Lewis, and Noble, were absent.

The Journal of yesterday was read and approved.

The Speaker announced the following as the standing committees of the House:

Ways and Means--Messrs. Patterson, Glen, Ten Eyck, Davis and Hazleton.

Judiciary—Messrs. Noble, Hand, A. C. Baldwin, Cook and Blair.

Internal Improvement—Messrs. Barbour, Toll, Sprague, Barrett and Brotherson.

Claims—Messrs. Dunham, Thomas, Wakeman, C. Baldwin and Pierce.

Elections—Messrs. A. C. Baldwin, Hollister, T. Lewis, Leland and McDonald,

Federal Relations—Messrs. Peck, Ames, Hand, Ord and Jones.

Banks and Incorporations—Messrs. Hawley, Peck, Graham, Webster and Sanborn.

Public Lands—Messrs. Groves, Morse, Cole, Kennedy and Edmunds.

Printing—Messrs. Barrett, Scott, Wing, Palmer and Parsons.

Education—Messrs. Andrews, Sweeney, O'Malley, Hollister and Rice.

Engrossment and Enrollment—Messrs. Ames, Ord, Wm. Lewis, Brotherson and Palmer.

Agriculture and Manufactures—Messrs. Wing, Kennedy and Chubb.

Militia—Messrs. Toll, Ten Eyck and Jones.

Supplies and Expenditures—Messrs. Dunham, Webster and Edmunds.

Organization of Townships and Counties—Messrs. T. Lewis, Groves and Sanborn.

State Prison—Messrs. Wakeman, Wing and Giddings.

Roads and Bridges—Messrs Wm. Lewis, Scott and Leland.

State Library—Messrs. Cole, Hawley and Giddings.

Indian Affairs.—Messrs. O'Malley, Morse and Chubb.

Mr. Davis presented a petition from Melvin Drake and fifty-three other legal voters of Oakland county, asking the necessary legislative action to amend the second article of the constitution of this state. Referred to the committee on the Judiciary.

Mr. Giddings announced that his colleague, Hon. Fletcher Ransom, member elect from the county of Kalamazoo, was present, and ready to take his seat.

Mr. Ransom thereupon appeared and the constitutional oath having been administered by the Speaker, he took his seat.

Mr. Andrews presented the petition of citizens of South Haven township, praying for a re-organization of said township. Referred to the committee on the organization of towns and counties.

Mr. Davis, from the committee appointed to make arrangements with the Post Master of the city of Detroit, reported that they had performed that duty; and that the Post Master will send any letters or communications to the members by the messengers of this House.

The following message was received from the Senate:

SENATE CHAMBER,
January 6, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit a "joint resolution authorizing the Governor to appoint a private secretary," which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

The joint resolution authorizing the Governor to appoint a private secretary was taken up, read a first and second time, the rule suspended, and the joint resolution read a third time and passed.

Mr. Groves offered the following resolution:

Resolved, That the House of Representatives, on to-morrow morning, proceed to designate two clergymen, whose duty it shall be to officiate alternately during the present session.

Mr. Hazelton moved to amend the resolution by striking out the word "designate," and insert "elect," which motion prevailed.

On motion of Mr. Peck,

The word "clergymen" was striken out and "chaplains" inserted.

Mr. Scott moved to amend by striking out the words "on to-morrow morning" and insert "now," which motion was lost.

Mr. Chubb offered the following as a substitute for the original resolution, which substitute was not adopted:

Resolved, That this House elect eight chaplains, one from each of the christian denominations in this city, to officiate in weekly succession, in the following order: first, Methodist; second, Catholic; third, Presbyterian; fourth, Universalist; fifth, Episcopalian; sixth, New Jerusalem Church; seventh, Lutheran: eighth, Congregationalist; and that they receive such compensation for their services as the members of the House shall contribute at the end of each week.

Mr. Andrews moved to add the following to the resolution, which motion did not prevail:

"And that they be paid for their services by the voluntary subscription of members of the House."

Mr. Ames offered a joint resolution relative to appointing a joint committee to revise the rules, which was read a first and second time, and,

On motion of Mr. A. C. Baldwin,

The rule was suspended.

And the question being on ordering the resolution to a third reading, pending which,

On motion of Mr. Hazleton,

The joint resolution was referred to a select committee, with instructions.

The Speaker appointed as such committee, Messrs. Ames, Peck and Hazleton.

Mr. Groves presented the papers of De Witt C. Walker, claiming one of the contested seats from Macomb county, when

On motion of Mr. Edmunds,

The whole matter of the contested seats was referred to the committee on elections.

The following message was received from the Senate:

SENATE CHAMBER,
January 7, 1845.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the joint resolution

relative to stationery, and to inform the House that the Senate have non-concurred therein.

Respectfully, &c.,

JA'S. E. PLATT,
Secretary of Senate.

On motion of Mr. Hazleton,

The following resolution was taken from the table:

Resolved, That the Speaker be authorized to employ a competent person to translate the Governor's message into the German and French languages.

And the same being under consideration,

On motion of Mr. Hazleton,

It was amended by striking out the word "Speaker," and inserting "committee on printing."

On motion of Mr. Hawley,

It was further amended by striking out the words "a competent person," and inserting "one or more competent persons."

The resolution, as amended, was then adopted.

Mr. Ten Eyck offered the following joint resolution, which, under the rule, lies on the table one day:

Resolved, by the Senate and House of Representatives of the State of Michigan, That a joint committee to consist of three Senators, and three members of the House of Representatives, be appointed to invite and receive proposals for the purchase, by individuals or companies, of the several rail roads, and other works of internal improvement, belonging to the State, and that they promptly proceed to the performance of the duty devolved upon them by this resolution, reporting the result of their proceedings at as early a period in the progress of the session as practicable.

Mr. Barrett offered the following resolution:

Resolved, That in place of the customary mode of supplying members with stationery, each member of the house shall be entitled to receive five dollars, to furnish himself with stationery during the session.

Mr. Hawley moved to amend, by adding the following resolution:

Resolved, That in addition to the sum mentioned in the preceding resolution, the chairmen of the several committees be allowed such

further sum for stationery as shall be judged necessary and proper by the committee on supplies and expenditures.

Which amendment was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Thomas,	
A. C. Baldwin,	W. Lewis,	Toll,	
C. Baldwin,	Peck,	Webster,	
Barbour,	Ten Eyck,	Wing,	
Cole,			18

NAYS.

Mr. Barrett,	Mr. Hazleton,	Mr. Palmer,	
Blair,	Hollister,	Parsons,	
Brotherson,	Jones,	Patterson,	
Chubb,	Kennedy,	Pierce,	
Cook,	Leland,	Rice,	
Davis,	T. Lewis,	Sanborn,	
Dunham,	McDonald,	Scott,	
Edmunds,	Moran,	Sprague,	
Giddings,	Morse,	Sweeney,	
Glen,	Noble,	Wakeman,	
Groves,	O'Malley,	Speaker,	
Hand,	Ord,		35

Mr. Hand offered the following as a substitute:

Resolved, That the committee on supplies and expenditures be instructed to procure and furnish to the members of this House, such stationery as they may require, not exceeding in amount the sum of five dollars to each member, and that the chief clerk, and the engrossing, enrolling and recording clerk be each authorized to draw stationery in like manner, not exceeding in amount the sum of twenty dollars.

A division of the proposition being called for, it was divided, and the parts relating to members and officers were severally adopted.

On motion of Mr. Hazleton, the following was added to the resolution:

And that the committee be further instructed to furnish the speaker any additional stationery they may deem proper.

On motion of Mr. Dunham,

The following proviso was added to the resolution:

Provided, Any member may furnish his own stationery to an amount not exceeding the said five dollars, by signifying his intention so to do, to the committee.

The resolution as amended, was then adopted.

Mr. Hazelton moved a reconsideration of the vote by which the resolution was adopted, which motion did not prevail.

The Speaker announced the following communications:

AUDITOR GENERAL'S OFFICE,
Detroit, Jan. 7, 1846.

HON. I. E. CRARY, *Speaker of the House of Representatives:*

SIR:—I have the honor herewith to transmit a copy of my annual report, prepared and printed for the use of the present Legislature, as required by law.

Most respectfully,
Your obedient servant,
JOHN J. ADAM,
Aud. Gen'l.

STATE TREASURER'S OFFICE,
Detroit, Jan. 7, 1846.

Hon. I. E. CRARY, *Speaker of the House of Representatives:*

SIR:—I have the honor to transmit for the use of the House, the annual report of this office.

Very respectfully, yours,
GEORGE REDFIELD,
State Treasurer.

STATE LAND OFFICE,
Marshall January 7, 1846.

Hon I. E. CRARY, *Speaker of the House of Representatives:*

SIR:—I have the honor herewith to transmit a copy of my annual report, prepared and printed for the use of the present legislature as required by law.

Most respectfully,
Your ob't servant,
D. V. BELL,
Com'r.

STATE LAND OFFICE,
Marshall, January 7, 1846.

Hon. I. E. CRARY, *Speaker of the House of Representatives:*

SIR—I have the honor herewith to transmit a copy of the annual report of the Board of Auditors on land claims.

Yours, most respectfully,
D. V. BELL,
Comm'r Land Office and Ch'n of said Board.

AUDITOR GENERAL'S OFFICE,
Detroit, January 7, 1846.

Hon. I. E. CRARY, *Speaker of the House of Representatives:*

SIR—I have the honor herewith to transmit a copy of the annual report of the Board of Trustees State Assets.

Most respectfully,

Your obedient servant,

JOHN J. ADAM,

Auditor General and Ch'n Board Trustees.

The reports of the Auditor General, State Treasurer, and Board of Trustees of State Assets were severally referred to the committee on ways and means.

The reports of the Commissioner of the State Lands, and of the Board of Auditors on Land Claims, were referred to the committee on Public Lands.

The Speaker announced the reception of the report of the Principal Assistant State Geologist, with documents relative to the common school lands, which,

On motion of Mr. Hazelton.

Was laid on the table, and ordered printed.

On motion of Mr. Groves,

The House adjourned,

Thursday, January 8, 1846.

The House met pursuant to adjournment,

Was called to order by the Speaker;

And on calling the roll, Messrs. Ames, A. C. Baldwin, Brotherson, Cady, Chubb, Graham, Hand, Leach, Noble, Rice, Scott and Sprague were absent.

The journal of yesterday was read and approved.

PETITIONS.

Mr. Dunham presented the petition of Justus Fremain and one hundred and thirteen other legal voters, of the county of Monroe, for the necessary legislative action to abolish the distinction existing between white and colored persons, in relation to the elective franchise. Referred to the committee on the judiciary.

Mr. W. Lewis presented two petitions; one from thirty-six inhabitants of the town of Watson, Allegan county, asking that the name of said township be changed to Hartland; and one from thirty-four inhabitants of the same township, asking for the organization of a new township, which petitions were referred to committee on the organization of towns and counties.

Mr. Cole presented the petition of John Howard and forty-one other legal voters of St. Joseph county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

Mr. Andrews presented the memorial of S. W. Foster, of Scio, Washtenaw county, relative to the flowing of lands by mill dams. Referred to the committee on the judiciary.

REPORTS.

Mr. A. C. Baldwin, from the committee on elections, to whom was referred the matter of the contested seats from Macomb county, made the following report:

The committee on elections, to whom was referred the application of Dewitt C. Walker, for a seat in this House, as one of the Representatives from Macomb county, have instructed me to report as follows:

It appears from the published statement of the votes given in the county of Macomb, on the fourth day of November, one thousand eight hundred and forty-five, for Representatives from said county to the state legislature, as duly certified by the county clerk of said county, that Dewitt C. Walker received 573 votes, and that Linus S. Gilbert received 607 votes. Upon this statement, the board of canvassers for said county gave the certificate of election to Linus S. Gilbert. By the same statement it appears that in the township of Washington, in said county, 136 votes were given for Duet C. Walker, and in the township of Erin in same county, 2 votes were given for D. C. Walker. The total number of votes, as shown by said statement, given for D. C. Walker, Dewitt C. Walker and Duet C. Walker was 711. There were no other votes given for any other person by the name of Gilbert.

From the foregoing statement of facts, the only question presented to the committee for their action was, whether the votes given for

Duett C. Walker, were intended for Dewitt C. Walker, or whether there was not some mistake in the returns.

Mr. Walker has furnished the committee with the affidavit of the members of the board of inspectors of election of the township of Washington, wherein they testify that there were no votes given for *Duet* C. Walker, the person named in the county canvassers' statement; but that 136 of the votes of that township were given for Dewitt C. Walker, and that there was a mistake made in their returns. Giving the said 136 votes of the township of Washington, to Dewitt C. Walker, the person for whom they were cast, would give him 709 votes from that county, the highest number received by any individual for the office of Representative in that county. Linus S. Gilbert, the person now occupying a seat in this House from that county, received the lowest number of votes of any of the persons claiming seats from said county. All the votes he can claim, as shown by the county canvass, is 607. Mr. Cady, one of the individuals, with the certificate from said county, has 660 votes allotted to him by the county canvassers.

Messrs. Walker and Gilbert appeared before the committee, and the latter generously acceded to the facts set forth. With this view of the case, and believing that the people should not be deprived of the representative they have selected, by the clerical errors of the returning officers, your committee are unanimously of the opinion that the seat in this House for which Linus S. Gilbert now holds the certificate, rightfully belongs to Dewitt C. Walker. The committee have had all the facts of the case before them; have given the claimants a full and impartial hearing, and to satisfy this House of the justness of their opinion, they will state that Mr. Gilbert coincides with them in awarding the seat to Mr. Walker.

They therefore respectfully and unanimously recommend the adoption, by the House, of the following resolution:

Resolved, That Dewitt C. Walker be declared duly elected from the county of Macomb to a seat in this House, in the place of Linus S. Gilbert, and that he be forthwith admitted to his seat.

All of which is respectfully submitted.

On motion of Mr. Ames, the report was accepted and the commit-

tee discharged from the further consideration of the claim of Messrs. Walker and Gilbert.

On motion of Mr. Hand, the resolution reported by the committee was adopted, and Mr. Walker came forward, subscribed the constitutional oath, and took his seat.

On motion of Mr. Hazleton,

Resolved, That the committee on ways and means be requested to report a bill providing for the payment of Linus S. Gilbert, while in attendance on this House, preferring his claim to a seat as a member from the county of Macomb.

On motion of Mr. Sweeney,

Resolved, That the election of chaplains, as contemplated by the resolution of yesterday, be postponed until to-morrow morning.

On motion of Mr. Ames,

The following was taken from the table and adopted:

Resolved, That a committee of three be appointed to revise the rules of this House, and that they report as soon as practicable.

The Speaker appointed as such committee, Messrs. Ames, Moran and Blair.

On motion of Mr. Hawley,

The Governor's message was taken from the table, and the following resolutions adopted:

Resolved, That so much of the Governor's message as relates to the apportionment of Senators and Representatives, be referred to a select committee of five.

That so much as relates to elections, to the committee on elections.

That so much as relates to the judiciary, to a reporter of decisions of the supreme and chancery courts; and to the revision of the laws of the state, be referred to the committee on the judiciary.

That so much as relates to banks and incorporations, be referred to the committee on banks and incorporations.

That so much as relates to the State prison, be referred to the committee on State prison.

That so much as relates to the militia, be referred to the committee on militia.

That so much as relates to lands belonging to, or under the control of the state, be referred to the committee on public lands.

That so much as relates to the University, its branches, and common schools, be referred to the committee on education.

That so much as relates to the mineral regions of the Upper Peninsula, be referred to the committee on federal relations.

That so much as relates to the finances of the state, be referred to the committee on ways and means.

That so much as relates to the construction, management and repairs of the works of internal improvement, be referred to the committee on internal improvement.

Mr. Hand offered the following resolution, which was laid on the table:

Resolved, That so much of the Governor's Message, as relates to the sale of the works of internal improvement, be referred to the committee on ways and means.

Mr. A. C. Baldwin offered the following resolution, which was lost:

Resolved, That the committee on supplies and expenditures be instructed to furnish wrapping paper, paste and ink in this house, for the use of members.

The Speaker announced the following communications:

OFFICE OF INTERNAL IMPROVEMENT,
Detroit, Jan. 8, 1846.

To the Speaker of the House of Representatives:

SIR:—I have the honor herewith to submit to the House of Representatives the annual report of the Board of Commissioners of Internal Improvement.

Very respectfully, your obedient servant,

O. C. COMSTOCK, Jr.,
President, &c.

ADJUTANT GENERAL'S OFFICE,
Detroit, Jan. 8, 1845.

SIR:—I have the honor herewith to transmit my annual report to the Adjutant and Quarter Master General's department, as well as the abstract of the annual returns of the militia, and of the arms, accoutrements, and ammunition, all of which I solicit you may be pleased to lay before the House of Representatives.

Very respectfully,
Your obedient servant,
J. E. SCHWARZ,
Adjutant Gen'l.

The report of the Board of Commissioners of Internal Improvement was referred to the committee on Internal Improvement; and the report of the Adjutant General was referred to the committee on Militia.

The Speaker appointed Justus Ingersoll and William Burt, as messengers to this house.

On motion of Mr. Peck,

Resolved, That so much of the Governor's Message as relates to the Geological department, together with the report of the Assistant State Geologist, be referred to a select committee of three.

The Speaker appointed as such committee, Messrs. Peck, Hand, and Ames.

On motion of Mr. Hazelton,

The House adjourned.

Friday, January 9, 1846.

The House met pursuant to adjournment, was called to order by the Speaker, and on calling the roll, Messrs. C. Baldwin, Graham, Hawley, Leach, Morse, Ord and Rice were absent.

Mr. Cook asked and obtained leave of absence for Mr. Graham for an indefinite time, on account of sickness.

PETITIONS.

By Mr. Toll, of John Sturgis, and other citizens of the township of Sturgis, St. Joseph county, relative to the sale of the public works. Laid on the table.

By Mr. Cook, of J. W. French, and others, of Hillsdale county, for the laying out of a certain state road. Referred to the committee on roads and bridges.

By Mr. Sprague, of H. Willson, for authority to release his claim to certain land. Referred to the committee on the judiciary.

By Mr. Wakeman, of the board of supervisors of the county of Jackson, praying the abolition of the criminal court in that county. Referred to the committee on the judiciary.

By Mr. Noble, the claim of Daniel Corbin. Referred to the committee on claims.

By Mr. Barrett, the petition of Joseph G. Farr and 41 other legal voters of Oakland county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Scott, of German citizens of this state, asking the publication of the legislative proceedings in the German language.

Mr. Scott moved to refer the petition to the committee on printing, pending which

Mr. Hazleton moved to refer to the committee on education, which motion was lost, and the question recurring on the motion to refer to the committee on printing, it prevailed.

By Mr. Wakeman, of citizens of Jackson county, in favor of the sale of the public works. Laid on the table.

By Mr. Barbour, of citizens of Calhoun county, asking the extension of the right of suffrage to colored persons. Referred to the committee on the judiciary.

By Mr. Sprague, of one hundred and sixty-three citizens of the township of Quincy, Branch county, asking an amendment of the revised statutes relative to highways. Referred to the committee on roads and bridges.

REPORTS.

Mr. Ames, from the select committee to whom was referred the joint resolution relative to revising the joint rules, with instructions, reported the same back with amendments, and

On motion of Mr. Peck, the report was accepted, the committee discharged, and the joint resolution laid on the table.

The Speaker announced the following communications:

To the Speaker of the House of Representatives:

SIR:—I have the honor herewith to transmit for the use of the House, the annual report of the Inspectors of the State Prison.

I have the honor to be

Very respectfully, &c.,

R. P. ELDREDGE,

Sec'y of State.

ATTORNEY GENERAL'S OFFICE,
January 8, 1846.

Hon. ISAAC E. CRARY, *Speaker &c.*

SIR—Herewith I have the honor to hand you the annual report of

the Attorney General, prepared and printed in accordance with law.

I have the honor to be

Very respectfully,

Your obedient servant,

HENRY N. WALKER.

BOARD OF STATE AUDITORS,
Detroit, January 9, 1846.

To the Speaker of the House of Representatives:

SIR:—I have the honor herewith to transmit, for the use of the House, the annual report of the Board of State Auditors.

Respectfully,

Your obedient servant,

R. P. ELDREDGE,

Ch'n Board of State Auditors.

The report of the Inspectors of the State Prison was referred to the committee on State Prison;

The report of the Attorney General, to the committee on the judiciary; and

The report of the Board of State Auditors, to the committee of ways and means.

The following message was received from the Senate:

SENATE CHAMBER,
January 8, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit a "bill to provide for the payment of members and officers of the legislature, and for other purposes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

The bill to provide for the payment of members and officers of the legislature, and for other purposes, was read a first and second time, when

Mr. Hazleton moved to lay it on the table, which motion was lost, and

On motion of Mr. Patterson,

The bill was referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,
January 8, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "joint resolution in relation to rules and manual, which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The joint resolution relative to rules and manual was read the first and second time, and,

On motion of Mr. Peck,

The rule was suspended, and the resolution read a third time and passed.

The Speaker appointed Messrs. Peck and Walker as the committee on the part of the House, under the "joint resolution relative to rules and manual."

Mr. Barbour offered the following resolution:

Resolved, That the committee to whom was referred so much of the Governor's message as relates to the apportionment of Senators and Representatives, be increased from five to six members, consisting of one from each Senatorial district.

Mr. Hand moved to amend by striking out all after the word "increased," and inserting, "by adding four additional members, so that the committee shall consist of nine, one from each Senatorial district and three from the state at large," which motion did not prevail, and the resolution was adopted.

Mr. Ames offered the following joint resolution, which, under the rule lies on the table one day:

Resolved, by the Senate and House of Representatives of the State of Michigan, That our Senators and Representatives in Congress, be, and they are hereby instructed and requested to use their influence and vote against the passage of any law by Congress, at its present session, increasing the rates of postage upon letters and other matter carried in the United States mail.

On motion of Mr. Peck,

Resolved, That the committee on federal relations be instructed to inquire what rights the state of Michigan has in the mines on the public lands of the United States, when situate within her boundaries, and whether any, and what legislation is necessary to promote the mining interests of the state, and report by bill or otherwise.

Mr. Andrews offered the following resolution, which, on motion of Mr. Edmunds, was laid on the table:

Resolved, That the commissioner of internal improvement be requested to ascertain and report to this house, as soon as practicable, the amount of internal improvement land now held by the state, and subject to appropriation by the legislature.

On motion of Mr. Hazleton,

Resolved, That 200 copies of the daily (printed,) journal be furnished for the use of the members of this house.

On motion of Mr. Groves,

Resolved, That the house now proceed to elect two chaplains, whose duty it shall be to officiate alternately.

The roll then being called, the members severally rose and voted *viva voce*, as follows:

FOR J. S. HARRISON.

Mr. Ames,	Mr. Hazelton,	Mr. Ransom,
Andrews,	Hollister,	Rice,
A. C. Baldwin,	Jones,	Sanborn,
C. Baldwin,	Kennedy,	Scott,
Barbour,	Leland,	Sprague,
Blair,	T. Lewis,	Sweeney,
Chubb,	W. Lewis,	Ten Eyck,
Cole,	Morse,	Thomas,
Cook,	Noble,	Toll,
Davis,	Palmer,	Wakeman,
Dunham,	Parsons,	Webster,
Glen,	Patterson,	Wing,
Groves,	Peck,	Walker,
Hand,	Pierce,	Speaker,
Hawley,		48

FOR MR. HILL.

Mr. Brotherson,	Mr. Edmunds,	Mr. Ord,	3

BLANK.

Mr. Barrett,	Mr. Moran,	Mr. O'Malley,	
Giddings,			4

Rev. James S. Harrison having received a majority of all the votes, was declared duly elected as one of the chaplains.

The question then being on the election of the second chaplain, the roll was called with the following result:

FOR MR. INGLIS.

Mr. Ames,	Mr. Hazelton,	Mr. Ransom,
Andrews,	Hollister,	Sanborn,
A. C. Baldwin,	Jones,	Scott,
C. Baldwin,	Kennedy,	Sprague,
Barbour,	Leland,	Sweeney,
Chubb,	T. Lewis,	Ten Eyck,
Cole,	W. Lewis,	Thomas,
Cook,	McDonald,	Toll,
Davis,	Morse,	Wakeman,
Dunham,	Noble,	Webster,
Glen,	Palmer,	Wing,
Groves,	Patterson,	Walker,
Hand,	Peck,	Speaker,
Hawley,	Pierce,	41

FOR MR. HILL.

Mr. Blair,	Mr. Ord,	Mr. Rice,
Edmunds,	Parsons,	5

BLANK.

Mr. Barrett,	Mr. Giddings,	Mr. O'Malley,
Brotherson,	Moran,	5

Rev. David Inglis having received a majority of all the votes, was declared duly elected chaplain.

On motion of Mr. Ames,

Resolved, That a committee of two be appointed to wait upon the Rev. David Inglis and Rev. James S. Harrison and inform them of their election as chaplains of this House.

The Speaker appointed as such committee Messrs. Ames and Brotherson.

Mr. Groves offered the following resolution:

Resolved, That the chaplains, for compensation for their services, shall be entitled to dollars each per diem, for the number of days that each shall officiate respectively.

Mr. Ames moved to fill the blank with the word "two."

Mr. A. C. Baldwin moved to insert the word 'one,' pending which,

On motion of Mr. Pierce,

The resolution was laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, January 9, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit "a bill to extend the time for the collection and return of taxes in the township of Owasso," which the Senate have passed and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

Mr. Scott asked and obtained the unanimous consent of the House to take up the "bill to extend the time for the collection and return of taxes in the township of Owasso," which bill was read twice and referred to the committee on ways and means.

On motion of Mr. Cook,

The House took a recess until two o'clock.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Hazleton,

The House resolved itself into the committee of the whole, Mr. Walker in the chair, on the general order,

And after a time spent thereon, the committee rose and reported back to the House, the "bill to provide for the payment of officers and members of the Legislature, and for other purposes," without amendment.

Mr. Patterson moved to add the following as an additional section:

Sec. . That the state treasurer be, and he is hereby authorized to pay upon the certificate of the Speaker of the House of Representatives, such sum as may be due Linus S. Gilbert, for travel to and from the capitol, at the rate of three dollars for every twenty miles, and three dollars for every day's attendance, while claiming a seat as a member of the House of Representatives during the present session.

Mr. Chubb moved to postpone the further consideration of the bill until to-morrow, which motion was lost.

Mr. Cook moved to strike out the word "three" and insert "two" in the amendment, pending which,

Mr. Andrews moved that the House adjourn until evening, which motion was lost.

Tee question then being on the amendment, a division of the question was ordered, and being first on striking out, it prevailed by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Peck,	
Barrett,	Hazelton,	Pierce,	
Blair,	Jones,	Ransom,	
Brotherson,	Kennedy,	Rice,	
Chubb,	Leland,	Sanborn,	
Cook,	T. Lewis,	Thomas,	
Dunham,	McDonald,	Toll,	
Edmunds,	Noble,	Wakeman,	
Giddings,	Parsons,	Wing,	27

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Patterson,	
A. C. Baldwin,	Hollister,	Scott,	
C. Baldwin,	W. Lewis,	Sprague,	
Barbour,	Moran,	Sweeney,	
Cole,	Morse,	Webster,	
Davis,	O'Malley,	Walker,	
Glen,	Ord,	Speaker,	
Groves,	Palmer,		23

The question recurring on inserting "two," it was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Hazelton,	Mr. Pierce,	
Barrett,	Jones,	Ransom,	
Blair,	Kennedy,	Rice,	
Brotherson,	Leland,	Sanborn,	
Chubb,	McDonald,	Thomas,	
Cook,	Noble,	Toll,	
Edmunds,	Parsons,	Wakeman,	
Giddings,	Peck,	Wing,	
Hawley,			25

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Palmer,	
A. C. Baldwin,	Hollister,	Patterson,	
C. Baldwin,	T. Lewis,	Scott,	
Barbour,	W. Lewis,	Sprague,	
Cole,	Moran,	Sweeney,	
Davis,	Morse,	Webster,	
Dunham,	O'Malley,	Walker,	
Glen,	Ord,	Speaker,	
Groves,			25

On motion of Mr. Andrews,

The House adjourned.

Saturday, January 10, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Mr. Graham was absent on leave, and Messrs. Cady, Chubb, Hand and Leach without leave.

The journal of yesterday was read and corrected.

PETITIONS PRESENTED.

By Mr. Hawley, of James Watkins, for relief. Referred to the committee on claims.

By Mr. Cook, two petitions of citizens of Hillsdale county, for the laying out of a certain state road, and the appropriation of non-resident highway taxes, for its construction. Referred to the committee on roads and bridges.

By Mr. Morse, of Samuel Day, and other citizens of the township of Keene, Ionia county, for the attaching of certain territory to the township of Boston;

Also, of sundry citizens of Kent county, for the organization of a new township; both of which petitions were referred to the committee on the organization of towns and counties:

Also, of Lewis Patterson, of Ionia county, for permission to construct a dam across Flat river, in said county;

Also, of Josiah Russell and Thomas H. Myers, of Montcalm county, to construct a dam across Flat river, in said county, which were referred to the committee on the judiciary.

By Mr. Barbour, of J. Crowell and two hundred and twenty others, asking the sale of the public works. Laid on the table.

By Mr. Rice, of W. M. Sullivan, and thirty-four others of Lenawee county, for the abolition of capital punishment. Referred to the committee on the judiciary.

By Mr. Jones, of H. C. Bunce, and one hundred and ninety-five other inhabitants of Eaton, Calhoun, and Barry counties, for the appropriation of non-resident highway taxes on a certain road. Referred to the committee on roads and bridges.

REPORTS.

Mr. Patterson, from the committee on ways and means, to whom was referred the bill to extend the time for the collection and return

of taxes in the township of Owasso, after carefully examining the facts which led to the introduction of the bill, respectfully recommend its passage.

The report was accepted, the committee discharged, and the bill to extend the time for the collection of taxes in the township of Owasso, was referred to the committee of the whole, and placed on the general order.

Mr. Ames, from the select committee appointed yesterday, to inform the chaplains of their election, reported that they had discharged the duty devolved upon them, and that the chaplains would attend and officiate as requested.

Mr. A. C. Baldwin gave notice that he should, at some future day, ask leave to bring in a bill to amend an act entitled "an act to incorporate the Troy & Rochester Railroad Company," approved March 12, 1844.

Mr. Hand called up from the table the following resolution:

"*Resolved*, That so much as relates to the sale of the works of Internal Improvement, be referred to the committee on ways and means"

On motion of Mr Hand,

The resolution was amended by striking out all after the words "referred to," and inserting, "a select committee of seven."

Mr. Edmunds moved to amend by adding "with instructions to report by bill," which motion was lost, and the resolution was adopted.

On motion of Mr. Ames,

The joint resolution of instructions relative to postage was taken from the table, read twice, and,

On motion of Mr. Scott,

Referred to the committee of the whole, and placed on the general order.

The bill to provide for the payment of officers and members of the legislature, and for other purposes, was taken up, and the question being on filling the blank in the amendment before the word "dollars,"

On motion of Mr. Sweeney,

The vote striking out the word "three," before "dollars," was reconsidered by the following vote:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Scott,	
Andrews,	T. Lewis,	Sprague,	
A. C. Baldwin,	W. Lewis,	Sweeney,	
Barbour,	Moran,	Ten Eyck,	
Cole,	Morse,	Toll,	
Davis,	O'Malley,	Webster,	
Glen,	Ord,	Walker,	
Groves,	Palmer,	Speaker,	
Hand,	Patterson,		26

NAYS.

Mr. C. Baldwin,	Mr. Giddings,	Mr. Peck,	
Barrett,	Hawley,	Pierce,	
Blair,	Hazleton,	Ransom,	
Brotherson,	Jones,	Rice,	
Chubb,	Kennedy,	Sanborn,	
Cook,	Leland,	Thomas,	
Dunham,	Noble,	Wing,	
Edmunds,	Parsons,		23

'e question then recurring on striking out the word "three,' pening which

Ames moved to recommit the bill and amendments to the committof the whole, which motion did not prevail.

Cole moved the previous question, which motion was sustained, and main question was ordered by the following vote.

YEAS.

Mr. es,	Mr. Hollister,	Mr. Scott,	
drews,	Kennedy,	Sprague,	
C. Baldwin,	T. Lewis,	Sweeney,	
Baldwin,	W. Lewis,	Ten Eyck,	
bour,	Moran,	Toll,	
,	Morse,	Wakeman,	
s,	O'Malley,	Webster,	
ham,	Ord,	Wing,	
,	Palmer,	Walker,	
es,	Patterson,	Speaker,	
,			31

NAYS.

Mr. Bt,	Mr. Hawley,	Mr. Peck,	
B	Hazelton,	Pierce,	
Brson,	Jones,	Ransom,	
C,	Leland,	Rice,	
C	McDonald,	Sanbourn,	
Eds,	Noble,	Thomas,	
Gs,	Parsons,		20

The question then being on striking out the word "three," in the amendment, was put and lost, by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Peck,
Barrett,	Hazleton,	Pierce,
Blair,	Jones,	Ransom,
Botherson,	Kennedy,	Rice,
Chubb,	Leland,	Sanborn,
Cook,	McDonald,	Thomas,
Edmunds,	Noble,	Wing,
Giddings,	Parsons,	2

NAYS.

Mr. Andrews,	Mr. Hollister,	Mr. Scott,
A. C. Baldwin,	T. Lewis,	Sprague,
C. Baldwin,	W. Lewis,	Sweeney,
Barbour,	Moran,	Ten Eyck,
Cole,	Morse,	Toll,
Davis,	O'Malley,	Wakeman,
Dunham,	Ord,	Webster,
Glen,	Palmer,	Walker,
Groves,	Patterson,	Speaker,
Hand,		8

The question then being on the amendment offered by Mr. Patterson, it was adopted.

The main question, being upon engrossing the amendments, and ordering the bill to its third reading, it prevailed by the following:

YEAS.

Mr. Ames,	Mr, Hand,	Mr. Patterson,
Andrews,	Hawley,	Scott,
A. C. Baldwin,	Hollister,	Sprague,
C. Baldwin,	T. Lewis,	Sweeny,
Barbour,	W. Lewis,	Ten Eyck,
Cole,	Moran,	Toll,
Davis,	Morse,	Wakeman,
Dunham,	O'Malley.	Webster,
Glen,	Ord,	Walker,
Groves,	Palmer,	Speaker, 30

NAYS.

Mr. Barrett,	Mr. Hazleton,	Mr. Peck,
Blair,	Jones,	Pierce,
Brotherson,	Kennedy,	Ransom,
Chubb,	Leland,	Rice,
Cook,	McDonald,	Sanborn,
Edmunds,	Noble,	Thomas,
Giddings,	Parsons,	Wing, 21

The question then being on the passage of the bill,

On motion of Mr. Andrews, the previous question was ordered,

And the main question, being on the passage of the bill, being ordered, the bill was passed by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Patterson,	
Andrews,	Hand,	Scott,	
A. C. Baldwin,	Hollister,	Sprague,	
C. Baldwin,	T. Lewis,	Sweeney,	
Barbour,	W. Lewis,	Ten Eyck,	
Barrett,	Moran,	Toll,	
Cole,	Morse,	Wakeman,	
Davis,	O'Malley,	Webster,	
Dunham,	Ord,	Walker,	
Glen,	Palmer,	Speaker,	30

NAYS.

Mr. Blair,	Mr. Hazelton,	Mr. Peck,	
Brotherson,	Jones,	Pierce,	
Chubb,	Kennedy,	Ransom,	
Cook,	Leland,	Rice,	
Edmunds,	McDonald,	Sanborn,	
Giddings,	Noble,	Thomas,	
Hawley,	Parsons,	Wing,	21

On motion of Mr. A. C. Baldwin,

The House adjourned.

Monday. January 12, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Mr. Graham was absent on leave, and Messrs. Ames, Cook, Noble and Scott absent without leave.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. McDonald, of George Holland, and one hundred and three citizens of Woodstock, Lenawee county, for an appropriation on the Palmyra and Jacksonburgh Railroad;

Also, of H. M. Dayton and four hundred and fifty-three others, for the same appropriation; which petitions were referred to the committee on internal improvement.

By Mr. Sprague, of sixty-two inhabitants of the township of Algansee, Branch county, for the division of said township. Referred to the committee on the organization of towns and counties.

By Mr. Edmunds, of W. B. Hewitt, and others, asking the extension of the right of suffrage to colored citizens;

Also, of A. Voorheis, and others, of Washtenaw county for the same; which petitions were referred to the committee on the judiciary.

By Mr. Rice, of S. H. Parker and eighty-eight other legal voters of Lenawee county, for the abolition of capital punishment. Referred to the committee on the judiciary.

By Mr. Walker, of William Beer and others, for the allowance of certain claims. Referred to the committee on claims.

Mr. A. C. Baldwin, from the committee on elections, submitted the following report.

The committee on elections, to whom was referred the claim of Payne K. Leach, junior, contesting the seat in this House, as a member from Macomb county, in the place of Chauncey G. Cady, now holding the certificate of election from said county, have instructed me to report,

That at the recent election in the county of Macomb, for members of the present Legislature, as appears by the county canvassers' statement, Chauncey G. Cady received for the office of Representative, 660 votes, and in the town of Lenox, in said county, Chauncey Cady received 13 votes, and Chauncey G. Cady, none. Your committee have deemed it their duty to give these latter votes to Chauncey G. Cady, the person evidently intended by the voters to receive them.—This addition will increase Mr. Cady's vote to 673. One vote was given in the county for C. Cady. This vote your committee have rejected, as they believe that the vote itself should show for whom it is intended, and that it would be, in many instances, productive of the greatest evil to go back of the vote to ascertain the intention of the voter.

Payne K. Leach, junior, received for the same office, in said county, as appears by the said certificate, 517 votes; Payne K. Leach, as shown by same document, received in the town of Washington, 6 votes; in the town of Sterling, 57 votes; in the town of Warren, 8

votes; in the town of Armada, 29 votes; in the town of Macomb, 16 votes, and in the town of Richmond, 54 votes, an aggregate of 170 votes. Said towns are all in the county of Macomb. P. K. Leech received in the same county, 3 votes.

The only question presented to your committee was, whether the votes returned for Payne K. Leach, should be given to Payne K. Leach, junior. If we were disposed to discard all equity and justice in this matter, and reduce the question to a barely technical one, we would have to draw some very nice distinctions to arrive at a just decision of the matter. But your committee believe, that in all questions of this nature, the highest grounds of equity ought to be taken, and the questions be presented, divested of the cobwebs of technicality. They have made careful inquiry of different persons, and learned that there is no other Payne K. Leach in the county, than the one whose case is now before this house. Some old citizens, who have known Mr. Leach for years, have informed this committee that they did not know that there was a junior to his name, or that he was ever designated in that manner. Mr. Leach, who now claims a seat, was undoubtedly the person intended. The statement of the county canvassers clearly show this fact. The suffix "junior," with which Mr. Leach saw fit to cumber his name, forms no part of it. It is the same as though he had added "farmer," "lawyer," "esquire," or any other term to it, as a matter of description. In many cases, these terms of description might become absolutely necessary.

Giving the 170 votes cast for Payne K. Leach, to Payne K. Leach, junior, it would increase his vote to 687—14 majority over Mr. Cady, after allowing him the benefit of all the votes he can consistently claim.

Mr. Leach has furnished your committee with the affidavits of the members of the board of election, of the townships of Sterling, Armada and Richmond, in the county of Macomb, from which it appears that the votes in the first and last towns were actually cast for Payne K. Leach junior, and twenty-six of the votes in the town of Armada, were cast for Mr. Leach, with the junior appended.

With this view of the case, your committee are unanimously of the opinion that Payne K. Leach, junior, is entitled to a seat as a member of this house, from the county of Macomb, in the place of Chaun-

cey G. Cady, who now holds the certificate of election, and they therefore respectfully recommend the adoption of the following resolution:

Resolved, That Payne K. Leach, junior, be deemed duly elected a member of this house, as a representative from the county of Macomb, and that he be forthwith admitted to his seat.

All which is respectfully submitted.

On motion of Mr. Toll, the report was accepted, and the resolution adopted.

Mr. Leach thereupon appeared, took the constitutional oath, and and was admitted to his seat as a representative.

The speaker appointed the following select committees:

On that part of the Governor's message relating to the apportionment of members of the legislature,

Messrs. Walker, Edmunds, McDonald, Kennedy, Groves and C. Baldwin.

On that part of the Governor's message relating to a sale of the works of internal improvement,

Messrs. Hand, Walker, Moran, Cole, Scott, Ransom and Rice.

The following communication was announced by the Speaker:

Detroit, January 12, 1846.

Hon. Isaac E. Crary,

Speaker of the House of Representatives:

Sir:—I have the honor herewith to submit to the House of Representatives a preliminary report relative to the revision of the laws.

Very respectfully,

Your obedient servant,

S. M. GREEN,

Com. of Revision.

On motion of Mr. A. C. Baldwin,

The preliminary report was laid on the table, and ordered to be printed.

The following message was received from the Senate:

Senate Chamber,
Detroit, January 10, 1846.

To the Speaker of the House of Representatives:

Sir:—I am instructed by the Senate to respectfully inform the

House that Senators Smith and Littlejohn have been appointed a committee on the part of the Senate, under the "joint resolution relative to rules and manual;" also, to transmit a "joint resolution relative to the claim of John Rouse," and a "joint resolution relative to geological survey and geological department," which the Senate have adopted and respectfully ask the concurrence of the House therein; also, to inform the House that Senators Videto and Chipman have been appointed a committee on the part of the Senate, under the last mentioned joint resolution.

Respectfully, &c.,

JA'S E. PLATT,

Secretary of Senate.

The joint resolution relative to geological survey, and geological department, was read twice, and

On motion of Mr. Walker, the further consideration of the joint resolution was indefinitely postponed.

The "joint resolution relative to the claim of John Rouse," was read twice and and referred to the committee on claims.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Barbour,

Resolved, That the Commissioner of Internal Improvement be directed to communicate to this House the form of the deeds taken by the state in all grants to the state for works of Internal Improvements.

Also, whether the right of way has in all cases been granted to the lands through which our works of Internal Improvement have been constructed.

Mr. Ransom offered the following resolution, which was referred to the committee on the judiciary:

Resolved, That the following amendment to section eighteen, article four of the constitution of the state be proposed, to wit: Insert between the fourth and fifth lines of the said section the following: Nor shall any member receive additional compensation by virtue of any office or place which he may hold in the respective house to which he may belong. Also strike out the word three in the fifth line of said section and insert the word two; so that said section shall read—The members of the legislature shall receive for their services a compensation to be ascertained by law and paid out of the public

treasury; but no increase of compensation shall take effect during the term for which the members of either house shall have been elected; nor shall any member receive additional compensation by virtue of any office or place which he may hold in the respective House to which he may belong, and such compensation shall never exceed two dollars per day.

Mr. Edmunds offered the following resolutions, which, on his motion, were laid on the table:

Resolved, That a special committee of three be appointed, whose duty it shall be to ascertain and report to this House a full statement of the liabilities and resources of the state; including the acknowledged and unacknowledged portion of our indebtedness, with all the ascertained and contingent liabilities of the state, whether foreign or domestic, due or to become due, designating the nature and amount of each class of our indebtedness.

Resolved, That the state officers be, and they are hereby requested to furnish said committee any information they may require to enable them fully to comply with the requirements of the foregoing resolution.

On motion of Mr. Walker,

Resolved, That a committee of three on the part of the House be appointed to act with any like committee of two that may be appointed on the part of the Senate, for the purpose of taking into consideration and reporting upon so much of the Governor's message as relates to the geological survey and all reports from officers in the geological department.

Messrs. Peck, Hand and Ames, were appointed by the Speaker, a committee under the foregoing resolution.

On motion of Mr. Brotherson,

Resolved, That the committee to whom was referred so much of the governor's message as relates to the apportionment of senators and Representatives be instructed to enquire into the expediency of dividing the state into single Representative districts, and that they report by bill or otherwise.

Mr. A. C. Baldwin, in pursuance of previous notice, asked and obtained leave to introduce a "bill to amend an act incorporating the Troy and Rochester Railroad company."

Mr. Ames offered a preamble and joint resolntion relative to the Oregon territory, which, under the rule, lies on the table one day.

On motion of Mr. Patterson,

The committee of the whole were discharged from the consideration of the "bill to extend the time for the collection and return of taxes in the township of Owasso," and the bill was read a third time and passed.

On motion of Mr. Davis,

The House resolved itself into the committee of the whole on the general order, Mr. Hazelton in the chair, and after a time spent thereon, the committee rose, and by their chairman, reported back to the House the "joint resolution of instructions relative to postage" without amendment.

On motion of Mr. Groves,

The further consideration of the joint resolution was indefinitely postponed,

On motion of Mr. Sweency,

The House adjourned.

Tuesday, January 13, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Mr. Graham was absent on leave, and Messrs. Ames. A. C. Baldwin, Hand, O'Malley and Patterson were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Davis, of Henry M. Case, and 101 other citizens of Oakland county, for a reduction in the price of certain university lands;

Also, of Melvin Drake, and 41 others, of Oakland county, for the same; which petitions were referred to the committee on public lands.

By Mr. Hazelton, of E. Kinsman, and 36 other legal voters of

Genesee county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Brotherson, of A. D. Truesdell, and 176 other citizens of Bridgewater, Washtenaw county, for an appropriation on the Palmyra and Jacksonburgh Railroad. Referred to the committee on internal improvement.

By Mr. Hawley, the claim of G. F. Rood & Co., for stationery. Referred to the committee on claims.

By Mr. Edmunds, of T. Ford, and other citizens of Washtenaw county, for the extension of the right of suffrage to colored citizens.

Also, of Frederick Beasom, and others, for a special law authorizing the conveyance of a certain piece of land, both of which petitions were referred to the committee on the judiciary.

By Mr. Rice, of Nathan Chase, and twenty-three others, for the abolition of capital punishment. Referred to the committee on the judiciary.

By Mr. McDonald, of Gabriel Mills, and twenty-nine others, of Macon, Lenawee county, for the abolition of capital punishment.—Referred to the committee on the judiciary.

REPORTS.

Mr. Patterson, from the committee on ways and means, reported a "bill to provide for the payment of Chauncey G. Cady, while claiming a seat in the House of Representatives," which was read twice, and the rule being suspended, the bill was ordered to be engrossed for a third reading.

Mr. Dunham, from the committee on claims, to whom was referred the petition of James Watkins, for relief, reported adverse to the prayer of the petition, and asked to be discharged from the further consideration of the subject.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Dunham, from the same committee, to whom was referred the Senate "joint resolution relative to the claim of John Rouse," reported the same back without amendment, and recommended its adoption by the House.

The report of the committee was accepted, and the joint resolution was read a third time and passed.

Mr. Peck, from the joint committee under the joint resolution relative to the joint rules of the two houses, and the rules of the two houses in joint convention, reported the rules of the two houses in joint convention, and the joint rules of the two houses as they existed at the last session, with the addition of the following to the joint rules, to stand as Rule 12:

"Every resolution to which the concurrence of the Senate and House of Representatives may be necessary, except in cases of adjournment, shall be proceeded upon in the same manner as in the case of a bill."

The report was accepted, the committee discharged, the amendment to the joint rules concurred in, and the rules as amended were adopted.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to provide for the payment of Chauncey G. Cady," while claiming his seat as a representative, and the rule being suspended, the bill was read a third time and passed.

The Speaker announced the following communication:

OFFICE OF INTERNAL IMPROVEMENT,
Detroit, January 12, 1846.

To the Speaker of the House of Representatives:

The undersigned has the honor to acknowledge the receipt of the following resolution:

"*Resolved*, That the commissioner of internal improvement be directed to communicate to this House the form of the deeds taken by the State in all grants to the State for works of internal improvement. Also, whether the right of way has in all cases been granted to the lands through which our works of internal improvement have been constructed."

I beg to refer the house to the accompanying blank deed, for the form of deed used by the board of internal improvement in taking title to lands occupied by them for public purposes.

I also remark, that the title to the lands through which our public works are constructed, has not in all cases been secured to the state.

Very respectfully,

O. C. COMSTOCK, JR.,
Acting Com.

On motion of Mr. Hand,

The communication, and accompanying form of deed, was referred to the select committee on the sale of the railroads.

Mr. Chubb gave notice that he would, on some future day, ask leave to bring in a bill to amend an act, entitled "an act to provide or the payment of entry and juror's fees," approved February 14, 1844.

The following messages were received from the Senate:

SENATE CHAMBER,
Monday, January 12, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform the House that the Senate have concurred in the amendment made by the House to the "bill to provide for the payment of members and officers of the Legislature, and for other purposes," and have ordered the bill as amended, to be enrolled.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

SENATE CHAMBER,
Tuesday, January 13, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform the House that the Senate have concurred in the report of the joint committee appointed to revise the joint rules temporarily adopted by the two Houses, and have adopted the joint rules, as amended by the committee.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

Mr. Rice offered the following resolution:

Resolved, That the committee on ways and means, be instructed to inquire and report what state, county and township offices can be abolished, and what salaries can be reduced without detriment to the public interest.

Mr. Hawley moved to lay the same on the table, which motion was lost, by yeas and nays as follows:

YEAS.

Mr. Barrett,	Mr. Toll,	Mr. Speaker,	
Hawley,	Sprague,		5

NAYS.

Mr. Ames,	Mr. Hand,	Mr. Parsons,
Andrews,	Hazelton,	Patterson,
A. C. Baldwin,	Hollister,	Peck,
C. Baldwin,	Jones,	Pierce,
Barbour,	Kennedy,	Ransom,
Blair,	Leland,	Rice,
Brotherson,	Leach,	Sanborn,
Chubb,	T. Lewis,	Scott,
Cole,	W. Lewis,	Sweeney,
Cook,	McDonald,	Ten Eyck,
Davis,	Moran,	Thomas,
Dunham,	Morse,	Wakeman,
Edmunds,	Noble,	Webster,
Giddings,	O'Malley,	Walker,
Glen,	Palmer,	Wing,
Groves,		46

On motion of Mr. Jones, the resolution was amended by adding the following:

And that they be instructed to inquire further what offices, if any, now filled by appointment, may, under the constitution, be elected by the people.

The question being on the adoption of the resolution, pending which

Mr. Walker offered the following as substitute:

Resolved, That the committee on ways and means, be instructed to inquire what state offices may be abolished, and what salaries may be reduced without injury to the public service, and that the committee on townships and counties, be instructed to make a like inquiry relative to county and township offices.

The question then being on the adoption of the substitute, it prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Hawley,	Peck,
Andrews,	Hollister,	Sprague,
A. C. Baldwin,	Kennedy,	Sweeney,
C. Baldwin,	W. Lewis,	Ten Eyck,
Barbour,	Moran,	Thomas,
Barrett,	Morse,	Toll,
Cole,	Noble,	Wakeman,
Davis,	O'Malley,	Wing,
Dunham,	Ord,	Walker,

Glen,	Patterson,	Speaker,	
Groves,			31

NAYS.

Mr. Blair,	Mr. Hazelton,	Mr. Parsons,	
Brotherson,	Jones,	Pierce,	
Chubb,	Leland,	Ransom,	
Cook,	Leach,	Rice,	
Edmunds,	T. Lewis,	Sanborn,	
Giddings,	McDonald,	Scott,	
Hand,	Palmer,	Webster,	21

On motion of Mr. Giddings,

Resolved, That the commissioner of internal improvement be directed to communicate to this House the amount of lands through which the works of internal improvement pass, the title of which yet remains in the hands of individuals, and also the names of individuals who hold said titles, and the reason why the titles have not been procured.

On motion of Mr. A. C. Baldwin,

Resolved, (the Senate concurring,) That the Secretary of State be instructed to cause to be placed upon the tables of the members of this House the joint documents and session laws of past sessions of the legislature, so far as they are now in possession of the State, and not deposited in the State library.

Mr. A. C. Baldwin offered the following resolution, which,

On motion of Mr. Walker,

Was laid on the table.

Resolved, That five hundred extra copies of the report of the Superintendent of Public Instruction be printed for the use of the members of this House.

On motion of Mr. Patterson,

The House adjourned.

Wednesday, January 14, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Mr. Graham was absent on leave, and Messrs. Barrett, Hand, Hazelton, Moran, O'Malley and Ord were absent without leave.

Mr. A. C. Baldwin asked and obtained leave of absence for Mr. Hazelton until Tuesday next.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Chubb, of Joseph Rogers and other citizens of Washtenaw county, for the sale of the works of internal improvement. Referred to the select committee on that subject.

By Mr. Dunham, of Stephen J. Morse and two hundred other citizens of Monroe county, asking the allowance of a pre-emption claim to certain school lands in Monroe county. Referred to the committee on public lands.

By Mr. Morse, of citizens of Kent county, for the organization of a new township.

Also, of citizens of Ionia county, for the organization of a new township; which petitions were referred to the committee on the organization of townships and counties.

By Mr. Ransom, of H. R. Shetterly, and forty-four other citizens of Comstock, Kalamazoo county, for the abolition of capital punishment. Referred to the committee on the judiciary.

By Mr. Brotherson, of E. G. Carr and forty-one others, of Washtenaw county, for the sale of the works of internal improvement. Referred to the select committee on that subject.

By Mr. Ames, of Henry Tickworth, for the allowance of claims and damages as contractor on the central railroad. Referred to the committee on claims.

By Mr. Hand, two petitions of inhabitants of the township of Hamtramck, Wayne county, for a division of said township. Referred to the committee on the organization of townships and counties.

By Mr. Wakeman, of James C. Bell, and fifty-nine others, citizens of Jackson county, asking the sale of the works of internal improvement. Referred to the select committee on that subject.

By Mr. McDonald, of Louisa M. Skinner, of Tecumseh, for the passage of a law authorizing her to convey certain real estate. Referred to the committee on the judiciary.

Mr. Ames, from the select committee, appointed to revise the rules temporarily adopted by the House, reported that they had had the same under consideration, and recommended the adoption by the House, of the rules of the last House of Representatives.

The report was accepted, the committee discharged, and the rules reported were adopted.

The Speaker announced the following communication, which was read, and

On motion of Mr. Hand,

Referred to the select committee on the sale of the public works:

To the Speaker of the House of Representatives:

The undersigned has the honor to acknowledge the receipt of the following resolution:

"*Resolved*, That the commissioner of internal improvement be directed to communicate to this House, the amount of lands through which the works of internal improvement pass, the title of which yet remains in the hands of individuals; also, the names of individuals who hold said titles, and the reason why the titles have not been procured."

The records of this office do not enable me to give a full and distinct answer to the first question contained in the foregoing resolution. Agreeably to an act entitled "an act to provide for the regulation of internal improvement," approved March 25, 1840, the Governor, by and with the advice and consent of the Senate, was authorized to appoint three appraisers, whose duty it should be to examine and assess the value of any lands, required by the state for her public works.

It further provides, that in the event of the amount of damages thus awarded to the owner of the property, being declined, the person agrieved may appeal to the next term of the circuit court of the county wherein the said premises are situate, by giving notice, &c. The provisions of the aforesaid act authorizing an appeal to the circuit court were repealed by act No. 77, approved Feb. 17, 1842. During the existence, however, of the first named act, most of the awards were appealed from, and the court dockets contain the only evidence

that the state has in those cases acquired rights of way, and ownership for the use of our railroads and canals. No transcript of these dockets has ever been procured for this office. There have been examined, and damages assessed by the present board of appraisers, the following number of claims:

Central Railroad,	295
Southern do.,	29

In all cases where the owner is known to the board, his name is inserted in the award, otherwise the claimant is designated unknown. There are 94 cases of the latter description on the line of the Central railroad, the award being unclaimed, and of course unpaid.

The board of internal improvement require, before damages are paid and title accepted, the certificate of the register of the county in which the premises lie, that the title is in the claimant, and that the property is unincumbered. This precautionary measure has operated, no doubt, to delay final settlements of a large number of claims. Another reason, of by no means the least magnitude, is the absence of means for promptly purchasing the right of way. This reason has induced the board to allow these claims to rest as long and quietly as was consistent with our own safety. Our resources have been s limited, in comparison with the extent and magnitude of our operations requiring cash, and *that* receivable only from the receipts of the railroads, that the board have never sought a settlement of damages for right of way, and have, indeed, never settled cases of that kind until they could be put off no longer.

I can give the number of deeds and releases in this office, but can not say what number of claimants there may be, for damages not yet appraised, (if any,) neither can I give the names of persons holding title in such cases.

The answer to the second question in the resolution, has been intimated in the foregoing, to wit: There has been no money at the disposal of the board for the settlement of the large amount of damages incurred by the construction of our public works, and claimants either from a knowledge of this fact, or from some other cause, have not appeared and demanded a settlement.

All of which is respectfully submitted.

O. C. COMSTOCK, Jr.,
Acting C.

On motion of Mr. Morse,

Resolved, That the committee on public lands be instructed to inquire into the expediency of providing by law for the payment of the interest on the purchases of primary school lands at the county treasurer's office in which the lands are located.

On motion of Mr. Peck,

The House adjourned.

Thursday, January 15, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Messrs. Graham and Hazelton were absent on leave, and Messrs. T. Lewis, Sanborn and Toll, absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Rice, of John Landon, and one hundred and thirty-four other legal voters of Lenawee county, for an alteration in the penal code relative to convictions for petty larceny. Referred to the committee on the judiciary.

By Mr. Scott, of W. F. Jenison, and other inhabitants of the county of Clinton, for the repeal of the act to establish and improve the Pontiac and Grand River road, and the acts amendatory thereto;

Also, of Stephen Pearl, and other citizens of Clinton county, and resolutions adopted by the board of supervisors of Clinton county, asking the repeal of the "act authorizing the construction of a wagon road on the line of the northern Railroad," which petitions and resolutions were referred to the committee on roads and bridges.

By Mr. Walker, of Porter Kibbee, for payment for services rendered by John Stockton, as superintendent on the Clinton and Kalamazoo canal. Referred to the committee on claims.

By Mr. Toll, the claim of A. Bonham. Referred to the committee on claims.

By Mr. Wakeman, of John Sumner, and nineteen other citizens of

Jackson county, asking the sale of the railroads. Referred to the select committee on that subject.

REPORTS.

Mr. Noble, from the committee on the judiciary, made the following report, which was accepted:

The committee to whom was referred the petition of Louisa M. Skinner, a minor, praying the passage of an act authorising her to sell and dispose of certain real estate, and to convey the same by by deed; also, the petition of Horris Willson, a minor, praying the passage of a special act to authorize him to convey certain real estate, set forth in his petition, beg leave to report:

That they have had the subject matter in each of said petitions set forth, under consideration. Your committee are fully aware, that our statutes are full of precedents for such cases, but they deem it very unwise, unsafe, and inexpedient, to legislate in such cases.—Great evils may arise, and great injustice may be done by legislative interference with the estates of minors; and even the power of the legislature so to do, may at least be doubted. They have no authority, and can have none, to enforce, or carry into effect, any restrictions or safeguards which it would be proper to attach to or throw around, the disposition of the avails of a minor's estate when sold, and they deem it especially unwise to legislate in special cases, when the parties have a perfect and speedy remedy by the existing laws. The 2d section of the act of the legislature, entitled "an act to authorise the conveyance of real estate of minors," approved February 28, 1840, fully meets the case of the petitioners, and all similar cases, and under it they have an easy and speedy remedy. Your committee have, therefore, instructed the chairman to report adversely to the prayer of said petitioners.

All of which is respectfully submitted.

Mr. Noble, from the same committee, made the following report, which was accepted.

The committee to whom was referred the petition of Frederick Beasom and others, praying that a special act may be passed authorising a conveyance to supply a lost deed, or to provide by a general law a remedy in such cases, beg leave to report:

That they have had the same under consideration. The commit-

tee deem no legislation is proper or necessary, in this or similar cases, for the reason that a quit claim deed from the heirs of James Robbins, to the present grantee, mentioned in said petition, would cure the defect of title set forth in the petition, and if there exists any disability by reason of the non-age of any such heirs, or any other cause, the petitioners have a full and complete remedy in the court of chancery, in the premises. Your committee have, therefore, directed their chairman to report adversely to the prayer of said petition, and ask to be discharged from the further consideration of the same. All of which is respectfully submitted.

Mr. Noble, from the same committee, made the following report, which was accepted:

The committee, to whom was referred the resolution, to propose an amendment to section 18, article 4, of the constitution of the state of Michigan, beg leave to report, that they have had under consideration the said resolution, and have directed their chairman to report the same back to the House, and recommend the following as a substitute for the same, to wit:

Resolved, by the Senate and House of Representatives of the State of Michigan, That the following amendment to section eighteen, article four of the constitution of the state of Michigan be proposed, to wit: Strike out the three last lines of said section, and insert the words following: "Which compensation shall be three dollars per day and no more, for the first forty days of any session of the legislature; and one dollar and fifty cents per day and no more, for any time the legislature may remain, or shall be in session after the expiration of forty days next succeeding the first Monday of January in each year," so that the said section shall read: "The members of "the legislature shall severally receive for their services a compensa- "tion to be ascertained by law, and paid out of the public treasu- "ry; which compensation shall be three dollars per day and no "more, for the first forty days of any session of the legislature, and "one dollar and fifty cents per day and no more, for any time the "legislature may remain, or shall be in session after the expiration "of forty days next succeeding the first Monday of January in each "year." All which is respectfully submitted.

The substitute and resolution were referred to the committee of the whole, and placed on the general order.

On motion of Mr. Blair,

Resolved, That the committee on the State Prison be instructed to inquire, whether the present mode of employing convicts in the same operates injuriously upon the mechanical and manufacturing industry of the State, and if so, whether any, and what alterations ought to be made in said method of employment.

Mr. Kennedy offered the following resolution, which,

On motion of Mr. Hawley,

Was laid on the table.

Resolved, That the committee on supplies cause to be furnished, without delay, to the chairman of the select committee, on apportionment, for the use of said committee, a correct map of the state of Michigan.

On motion of Mr. A.C. Baldwin,

The following resolution was taken from the table:

Resolved, That five hundred extra copies of the report of the Superintendent of Public Instruction be printed for the use of this House.

After some discussion,

On motion of Mr. Hand,

The resolution was again laid on the table.

Mr. Walker gave notice that he should, on some future day, ask leave to introduce a bill to amend an act entitled "an act to incorporate the Shelby and Detroit Railroad Company."

The following messages were received from the Senate:

SENATE CHAMBER,
Detroit, January 14, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to provide for the payment of Chauncey G. Cady, while claiming a seat in the House of Representatives," and respectfully inform the House that the Senate have concurred therein.

Respectfully, &c.,

JA'S E. PLATT,
Secretary of Senate.

SENATE CHAMBER,
January 15, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit a "joint resolu-

tion relative to the revision of the statutes," which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

The "bill to provide for the payment of Chauncey G. Cady, while claiming a seat in the House of Representatives," was ordered to be enrolled.

The "joint resolution relative to the revision of the statutes," was read twice, and

On motion of Mr. Andrews,

Referred to the committee of the whole, and placed on the general order.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled, the "bill to provide for the payment of Chauncey G. Cady, while claiming a seat in the House of Representatives."

On motion of Mr. Walker,

The report of the commissioner of revision was taken from the table and referred to the committee of the whole.

On motion of Mr. Walker,

The House resolved itself into a committee of the whole, Mr. Jones in the chair, on the "joint resolution relative to the revision of the statutes," and after a time spent thereon, the committee rose, and by their chairman, reported the joint resolution back to the House, with an amendment in which the concurrence of the House was asked.

The amendment was concurred in, and the resolution was ordered to a third reading.

On motion of Mr. Walker,

The rule was suspended, and the joint resolution read a third time and passed as amended.

On motion of Mr. A. C. Baldwin,

The House went into committee of the whole on the general order, Mr. Dunham in the chair, and after a time spent thereon the committee rose, and by their chairman reported that they had had under consideration "a joint resolution proposing an amendment to the constitution of the state," which they reported back to the House

with an amendment, striking out all after the word "resolved;" in which the concurrence of the House was asked.

Mr. Jones moved to lay the resolution on the table, which motion did not prevail.

The question being on concurring in the amendment made by the committee of the whole, it was non-concurred in by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Scott,
Andrews,	Hawley,	Sprague,
A. C. Baldwin,	Hollister,	Ten Eyck,
C. Baldwin,	W. Lewis,	Toll,
Barbour,	Moran,	Webster,
Barrett,	O'Malley,	Wing,
Cole,	Ord,	Speaker,
Davis,	Peck,	23

NAYS.

Mr. Blair,	Mr. Kennedy,	Mr. Pierce,
Brotherson,	Leland,	Ransom,
Chubb,	Leach,	Rice,
Cook,	McDonald,	Sanborn,
Dunham,	Morse,	Sweeney,
Edmunds,	Noble,	Thomas,
Giddings,	Palmer,	Wakeman,
Hand,	Parsons,	Walker,
Jones,	Patterson,	26

The question then recurring on the adoption of the substitute, and an amendment being offered,

The Speaker decided that it was not in order to amend a bill after a motion to strike out all after the enacting clause had been put and lost.

Mr. Jones appealed from the decision of the chair, when the decision was sustained by the House.

Mr. Toll moved the previous question, which motion was sustained, and the main question was ordered to be now put.

The question then being on adopting the substitute reported by the committee on the judiciary, it prevailed, by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Patterson,
Andrews,	Kennedy,	Sprague,
A. C. Baldwin,	Leach,	Sweeney,
Barbour,	W. Lewis,	Ten Eyck,
Cole,	Moran,	Toll,

Cook,	Morse,	Wakeman,	
Davis,	Noble,	Webster,	
Dunham,	O'Malley,	Walker,	
Glen,	Ord,	Speaker,	
Hand,			28

NAYS.

Mr. Blair,	Mr. Leland,	Mr. Ransom,	
Brotherson,	Palmer,	Rice,	
Chubb,	Parsons,	Sanborn,	
Edmunds,	Peck,	Scott	
Jones,	Pierce,	Wing,	15

Mr. Davis moved an adjournment, which motion was lost.

The main question, being on ordering the resolution to an engrossment and third reading, was then put and carried.

On motion of Mr. Ransom,

The House adjourned.

Friday, January 16, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Graham and Hazleton were absent on leave, and Messrs. Ames, Chubb, Hand, Patterson and Sanborn were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Groves, of ninety citizens of the township of Oronoco, Berrien county, asking the division of said township. Referred to the committee on the organization of townships and counties.

By Mr. Leach, of John Cannon, and other citizens of Macomb county, asking the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Brotherson, of Elias Fountain, and other citizens of Washtenaw county, asking the sale of the public works. Referred to the select committee on that subject.

By Mr. Giddings, three several petitions of citizens of Kalamazoo county, for the same. Referred to the same committee.

The following communication was announced by the Speaker:

DETROIT,
January 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I have the honor herewith to transmit for the use of the House, my annual report.

Respectfully
Your ob't serv't,
IRA MAYHEW,
Sup't Pub. Inst.

The report was referred to the committee on education.

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, January 15, 1846.

To the House of Representatives:

I have this day approved, signed and filed in the office of the Secretary of State, "An act to provide for the payment of Chauncey G. Cady, while claiming a seat in the House of Representatives."

ALPHEUS FELCH.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed,

The "joint resolution proposing an amendment to the constitution of the State of Michigan."

Mr. Barbour gave notice, that on some future day, he should ask leave to introduce a bill to amend the law for effecting the partition of real estate.

The "joint resolution proposing an amendment to the constitution of the State of Michigan," was taken up, read a third time, and the question being on its passage,

On motion of Mr. Walker,

It was laid on the table.

On motion of Mr. Ames,

The joint resolutions relative to the occupancy of the Oregon Territory, were taken from the table, read a first and second time, when

Mr. Ames moved that they be referred to the committee of the whole House, and made the special order for Monday next.

Mr. Walker moved that they be referred to the committee on federal relations.

The question being first on referring to the committee of the whole, and making the special order, it was decided in the negative.

The question then recurring on the motion to refer to the committee on federal relations, it prevailed, and the resolutions were so referred.

On motion of Mr. Walker,

The following resolution was taken up and adopted:

Resolved, That the committee on supplies cause to be furnished, without delay, to the chairman of the select committee on the apportionment, for the use of said committee, a correct map of the State of Michigan, and that the same be deposited in the State Library, after the duties of said committee shall have been discharged.

On motion of Mr. O'Mally,

The House adjourned.

Saturday, January 17, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Messrs. Graham and Hazleton were absent on leave, and Messrs. Ames, Chubb, Groves, Leach, Moran, Noble, and Parsons absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Noble until Monday next.

Mr. Edmunds for Mr. Parsons for the same time.

Mr. Leland for Mr. Chubb until Tuesday next.

Mr. Sanborn for Mr. Leach until Monday next.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Edmunds, of A. A. Hunter, and other citizens of Ypsilanti, Washtenaw county, asking for the sale of the public works. Referred to the select committee on that subject.

Also, of Wm. Force, for a special law, authorizing the sale of certain real estate. Referred to the committee on the judiciary.

By Mr. Patterson, of one hundred and thirty two citizens of Lena-

wee county, for the sale of the public works. Referred to the select committee on that subject.

Also, of citizens of the township of Ogden, Lenawee county, for the passage of an act for the correction of an error in the assessment of highway taxes in said township. Referred to committee on ways and means.

By Mr. Ransom, two petitions of citizens of Kalamazoo county, for the sale of the public works. Referred to the select committee on that subject.

REPORTS.

Mr. Dunham, from the committee on claims, to whom was referred the petition of Henry B. Tichworth, for relief, reported that they had had the same under consideration, and reported adverse to the prayer of said petition. The report was accepted and the committee discharged from the further consideration of the subject.

Mr. Groves, from the committee on public lands, to whom was referred the petition of Stephen J. Morse, relative to a right of pre-emption in certain school lands, reported that they had had the same under consideration, and reported the same back, together with a "Bill to secure to Stephen J. Morse the right of pre-emption to certain school lands."

The report of the committee was accepted, and the bill was read twice, and

On motion of Mr. Dunham,

Referred to the committee of the whole, placed on the general order and ordered to be printed.

The Speaker announced the following communication:

DETROIT, *January* 17, 1846.

Hon. ISAAC E. CRARY, *Speaker &c.*

SIR—I have the honor herewith to transmit to the House of Representatives, a portion of the proposed revision of the statutes, comprising fifty one chapters.

Very respectfully,

Your obedient servant,

S. M. GREEN,

On motion of Mr. Dunham, the communication and accompanying documents were laid on the table.

Mr. Hand offered the following resolutions, which were adopted:

Resolved, That the commissioner of internal improvements be instructed to furnish this house with diagrams, showing the line of the Central Railroad as located from Detroit to Kalamazoo; also the line of the Southern Railroad from its eastern extremity to Hillsdale; also the line of the Clinton and Kalamazoo canal, so far as that has been located in the counties of Macomb and Oakland.

Resolved, That he cause to be designated and distinguished by different colorings of the different portions of the said lines of said roads and canal as located:

1st. The portions of said lines of which the State has obtained the title, designating by suitable figures and references, from whom each portion was obtained and when, by what mode or conveyance, and what interest or estate was in each instance so obtained by, or conveyed to the State; and if the conveyance was not by purchase or a voluntary grant and deed to the State, then stating in each instance under what statute the proceedings were had, and what memorial or record evidence thereof, there is remaining to the State, and where.

2d. The portions of said lines (designated as aforesaid) to which the State has obtained no such title, but as to which damages have been assessed or adjusted, and when same were adjusted, and how, and under what act, and the amount thereof in each case, and to whom allowed; and also designating in like manner any portions of said lines, the title to which has been conveyed to the State, as to which damages have been assessed but not paid; specifying in each case how much is due, and to whom, and when the indebtment accrued.

3d. The portions of said lines, as to which claims for damages have been made but which have not been adjusted or allowed, and to which the State has not obtained the title, designating by whom the claims were interposed, and when.

4th. The portions of such lines to which the State has no title and as to which no claims for damages have been interposed.

Resolved, That said commissioner procure and furnish to this House copies of all the journal entries of judgments rendered in the courts of record of this state, in all cases touching damages for the appropriation of any lands which have been taken, appropriated, or used by the State in or about the construction of the Central or Southern Railroads and Clinton & Kalamazoo Canal, and if the lands in any case are not described in such journal entry of the judgment,

then in any such case, he cause to be annexed to the copy of the journal entry of judgment, a description of the lands in each case in controversy, taken from the petition transcript of proceedings appealed from or other proceedings upon which each judgment is founded.

Resolved, That the information above required, so far as the same relates to the Central and Southern Railroad be procured and communicated to the House with as much despatch as possible, and that said Commissioner be authorized to call to his assistance so far as may be necessary in preparing the drafts and plats of said lines of internal improvements, any person connected with the Geological Department of this State.

On motion of Mr. Peck,

Resolved, That the select committee to whom was referred the report from the Geological Department, be discharged from the consideration of that portion thereof relative to the primary school lands, and that so much of said report as relates to said primary school lands be referred to the committee on public lands.

On motion of Mr. Walker, the "joint resolution proposing an amendment to the consiitution of the state of Michigan" was taken from the table.

Mr. Walker moved to recommit the resolution to the committee on the judiciary, with instructions to amend the same so that it shall read as follows, to wit:

Resolved, by the Senate and House of Representatives of the State of Michigan, That the following amendment be proposed to the constitution of the State of Michigan, to wit: That section eighteen of article four, of said constitution, be amended by striking out therefrom the words "*ascertained by law and*" and also by striking out all of said section after the word "treasury" and inserting the following in the place thereof:

"Which compensation shall be three dollars per day and no more, for the first forty days of any session of the legislature; and one dollar and fifty cents per day and no more, for any time the legislature may remain, or shall be in session after the expiration of forty days next succeeding the first Monday of January in each year," so that the said section shall read: "The members of the legislature shall "severally receive for their services a compensation to be paid out

"of the public treasury; which compensation shall be three dollars per day and no more, for the first forty days of any session of the legislature, and one dollar and fifty cents per day and no more, for any time the legislature may remain, or shall be in session, after the expiration of forty days next succeeding the first Monday of January in each year."

Mr. Blair moved to amend the instructions by striking out the word "three" before the word "dollars" wherever it occurs, and inserting "two," which motion was lost.

Mr. Jones moved to amend the instructions by adding the following resolution, which motion did not prevail:

Resolved, That the same be published and referred to the next Legislature according to the provisions of the thirteenth article of the constitution.

The question then recurring on the motion to recommit with instructions, it was decided in the affirmative.

On motion of Mr. Dunham, the House adjourned.

Monday, January 19, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Chubb, Graham, Hazleton, Noble and Parsons were absent on leave, and Messrs. Hand, Hawley, T. Lewis, Palmer and Patterson were absent without leave.

Mr. Leland asked and obtained leave of absence for Mr. Palmer for an indefinite period, on account of ill health.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. Toll, of Amos Brownson, and sixty-three others, of St. Joseph county, for building a dam across the St. Joseph river. Referred to the committee on the judiciary.

By Mr. McDonald, of James S. Clarke, for the passage of a law authorizing the Auditor General to issue certain state warrants in lieu of those set forth in the petition. Referred to the committee on claims.

Also, of Isaac Powers, and thirty-four others, of the township of Cambridge, Lenawee county, for an appropriation to repair the Palmyra and Jacksonburgh railroad. Referred to the committee on internal improvement.

By Mr. Barbour, two several remonstrances, signed by J. S. Van Brunt, and sixty others, against the appropriation of certain non-resident highway taxes, on the road leading from the county site of Eaton county, to the county site of Barry county. Referred to the committee on roads and bridges.

Mr. Peck, from the committee on federal relations, to whom was referred the joint resolutions relative to the occupancy of the Oregon Territory, reported the same back, together with a substitute.

The report was accepted, and the joint resolution and substitute referred to the committee of the whole, and placed on the general order.

On motion of Mr. A. C. Baldwin, the following resolution was taken from the table:

Resolved, That five hundred extra copies of the report of the superindent of public instruction be printed for the use of this House.

After some discussion, on motion of Mr. Toll, the resolution was again laid on the table.

Mr. Sweeney offered the following resolution:

Resolved, That the committee on printing be instructed to inquire and report to this House, the number of copies of the report of the superintendent of public instruction that have been printed, and what disposition has been made of the same.

Mr. Hand offered the following as a substitute:

Resolved, That the secretary of state be directed to report to this House, how many copies of the report of the superintendent of public instruction for the year 1846, have been received at the office of the secretary of state, and what disposition has been made of the same.

The substitute was rejected, and the original resolution adopted.

Mr. Hand sent up to the chair the following resolution:

Resolved, That the topographer of the geological department be directed to prepare and furnish to this House a skeleton map on a large scale, of so much of the state as lies between its northern boundary and the north line of Midland and Oceana counties, designating

only the outline of the counties and townships, and the population of each, according to the last census, to be distinctly inscribed within the lines of each respective township and county.

Mr. Scott moved that the resolution be amended by adding the following proviso, which motion did not prevail:

"Provided, That the State shall be at no expense in getting up the same."

The original resolution was then adopted.

Mr. Brotherson gave notice that at some future day he should ask leave to introduce a bill to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9th, 1845.

The following messages were received from the Senate:

SENATE CHAMBER,
Friday, January 16, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform the House that the Senate have concurred in the House amendment to the "joint resolution relative to the revision of the statutes," and have ordered the joint resolution as amended, to be enrolled.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

SENATE CHAMBER,
January 19, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate, to return the "concurrent resolution relative to certain documents," and to respectfully inform the House that the Senate have adopted the same with sundry amendments in which the concurrence of the House is respectfully asked.

Also, to transmit a "bill to incorporate the Adrian Seminary," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The Senate amendments to the "concurrent resolution relative to

certain documents," were concurred in by the House, and the concurrent resolution as amended, was ordered to be enrolled.

The "bill to incorporate the Adrian Seminary," was read twice, and referred to the committee on banks and incorporations.

On motion of Mr. Walker, the House went into committee of the whole on the general order, Mr. T. Lewis in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration the joint resolution relative to the occupancy of the Oregon Territory, and the substitute therefor, and had made some progress thereon, and asked leave to sit again.

Leave was granted.

On motion of Mr. Hand, the House took a recess till half past two o'clock.

Afternoon Session.—Half past two o'clock.

The House met, and was called to order by the Speaker.

On motion of Mr. Jones,

The House resolved itself into committee of the whole on the joint resolutions relative to the occupancy of the Oregon Territory, Mr. T. Lewis in the chair, and after a time spent thereon, the committee rose and reported back to the House the "joint resolutions relative to the occupancy of the Oregon Territory," with an amendment, being the substitute therefor reported by the committee on federal relations, and asked the concurrence of the House in the amendment.

The amendment was concurred in by the House, and the joint resolutions, as amended, were ordered to be engrossed and read a third time by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Ransom,
Andrews,	Hand,	Sanbourn,
A. C. Baldwin,	Hollister,	Scott,
C. Baldwin,	Kennedy,	Sprague,
Barbour,	Leach,	Sweeney,
Barrett,	T. Lewis,	Ten Eyck,
Blair,	W. Lewis,	Thomas,
Cole,	Moran,	Toll,
Davis,	Morse,	Wakeman,
Dunham,	O'Malley,	Walker,

Edmunds,	Patterson,	Webster,	
Giddings,	Peck,	Wing,	
Glen,	Pierce,	Speaker,	39

NAYS.

Mr. Hawley,	Mr. Jones,	Mr. Leland,	3

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, the "joint resolutions relative to the occupancy of the Oregon Territory," and they were read the third time, and the question being on their passage,

Mr. Jones moved to lay them on the table, and order them printed, which motion was lost.

Mr. Jones then moved to refer the resolutions to a select committee, with instructions to strike out the third resolution, which motion was negatived by the following vote:

YEAS.

Mr. Hawley,	Mr. Jones,	Mr. Leland,	3

NAYS.

Mr. Ames,	Mr. Groves,	Mr. Pierce,	
Andrews,	Hand,	Sanborn,	
A. C. Baldwin,	Hollister,	Scott,	
C. Baldwin,	Kennedy,	Sprague,	
Barbour,	Leach,	Sweeney,	
Barrett,	T. Lewis,	Ten Eyck,	
Blair,	W. Lewis,	Thomas,	
Cole,	McDonald,	Toll,	
Davis,	Moran,	Wakeman,	
Dunham,	Morse,	Webster,	
Edmunds,	O'Malley,	Walker,	
Giddings,	Patterson,	Wing,	
Glen,	Peck,	Speaker,	39

The joint resolutions were then passed by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Pierce,
Andrews,	Hand,	Sanborn,
A. C. Baldwin,	Hollister,	Scott,
C. Baldwin,	Kennedy,	Sprague,
Barbour,	Leach,	Sweeney,
Barrett,	T. Lewis,	Ten Eyck,
Blair,	W. Lewis,	Thomas,
Cole,	McDonald,	Toll,
Davis,	Moran,	Wakeman,
Dunham,	Morse,	Walker,
Edmunds,	O'Malley,	Webster,

Giddings'	Patterson,	Wing,	
Glen,	Peck,	Speaker,	39

NAYS.

Mr. Hawley,	Mr. Jones,	Mr. Leland,	3

On motion of Mr. Peck,

The resolutions were entitled, "joint resolutions relative to the Oregon Territory."

On motion of Mr. Toll, the House adjourned.

Tuesday, January 20, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Graham and Palmer were absent on leave, and Messrs. Noble, Parsons and Scott absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Dunham, of Samuel Nichols and twelve other legal voters of Monroe county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Davis, of E. S. Fish and other legal voters of the township of Bloomfield, county of Oakland, for the same purpose. Same reference.

By Mr. Hawley, the claim of G. F. Rood & Co., for stationery. Referred to the committee on claims.

By Mr. Ten Eyck, two several petitions of inhabitants of Dearborn, for the repeal of the charter of the village of Dearbornville. Referred to the committee on the organization of townships and counties.

By Mr. Peck, of citizens of Livingston county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Hand, the claim of S. N. Gantt, for stationery furnished the Legislature of 1845. Referred to the committee on claims.

Also, of collectors of second, third, fourth, and fifth wards of De-

troit city, for an extension of the time for making their returns. Referred to the committee on ways and means.

Also, of John M. Mack, and others, suggesting a line for the division of the township of Hamtramck. Referred to the committee on the organization of townships and counties.

Also, of N. Champ and ten others, of the city of Detroit, relative to damages sustained by construction of the central railroad. Referred to the committee on internal improvements.

By Mr. Barbour, of Sands M'Camly and three hundred and eight others, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Chubb, of one hundred and two citizens of Ann Arbor, for an alteration in the judiciary system. Referred to the committee on the judiciary.

REPORTS.

Mr. Hawley, from the committee on banks and incorporations, to whom was referred the Senate "bill to incorporate the Adrian Seminary," reported the same back without amendment and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Barrett, from the committee on printing, made the following report, which was accepted:

The committee on printing, who, by a resolution of this House of January 19, 1846, were instructed to inquire and report to this House the number of copies of the report of the superintendent of public instruction that have been printed, and what disposition has been made of the same, would respectfully report:

That in discharging that duty, they have ascertained that one thousand copies have been printed for the use of the legislature, and that some two hundred and thirty-eight copies have been delivered, and that the remainder will be delivered soon.

On motion of Mr. A. C. Baldwin,

The communication and accompanying documents, from the commissioner of revision, laid on the table last Saturday, were taken up, and

On motion of Mr. Barbour, referred to the committee on the judiciary.

Mr. Peck gave notice, that on some future day, he should ask leave to introduce a bill to amend an act, entitled "an act to incorporate the Detroit and Grand River plank road company," approved March 12, 1844.

On motion of Mr. A. C. Baldwin,

The House went into committee of the whole on the general order, Mr. Groves in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration, a "bill to secure to Stephen J. Morse a pre-emption right to certain school lands," which they reported back without amendment, and a "bill to incorporate the Adrian seminary," which they reported back to the House with an amendment, in which the concurrence of the House was asked.

The "bill to secure to Stephen J. Morse a pre-emption right to certain school lands," being under consideration,

Mr. Hawley moved to strike out of the third and fourth lines, the words "land of the United States," and insert "primary school lands," pending which,

On motion of Mr. Dunham, the House took a recess till half past two o'clock.

Afternoon Session.—Half past two o'clock.

The House met, and was called to order by the Speaker.

The "bill to secure to Stephen J. Morse the right of pre-emption to certain school lands," being before the House, and the question pending, being the motion to strike out of the third and fourth lines, the words "land of the United States," and insert "primary school lands," and the yeas and nays having been ordered, Mr. Toll not being within the bar at the time the question was stated from the chair, he was,

On motion of Mr. Hawley allowed to vote.

The amendment was then negatived by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. T. Lewis,	Mr. Sanborn,	
Hand,	Peck,	Ten Eyck,	
Hawley,			7

NAYS.

Mr. Ames,	Mr. Giddings,	Mr. Morse,	
Andrews,	Glen,	O'Malley,	
A. C. Baldwin,	Groves,	Ord,	

Barbour,	Hazleton,	Pierce,	
Barrett,	Hollister,	Ransom,	
Brotherson,	Jones,	Rice,	
Chubb,	Kennedy,	Sweeney,	
Cole,	Leland,	Toll,	
Cook,	Leach,	Wakeman,	
Davis,	W. Lewis,	Webster,	
Dunham,	McDonald,	Walker,	
Edmunds,	Moran,	Speaker,	36

Mr. Hawley moved to amend the bill by adding the following section:

Sec. 2. Upon the issue of the certificate of purchase of the said lands by the commissioner of the land office, said commissioner shall transmit to the state treasurer a statement of the amount of difference between the mininum price of public lands of the United States, and the minimum price of the primary school lands; and the said treasurer is hereby directed to transfer from the general fund to the credit of the primary school fund the amount so transmitted.

Pending which, on motion of Mr. A. C. Baldwin, the previous question was ordered, and the main question was ordered to be now put.

The first question being on the amendment offered by Mr. Hawley, it was lost.

The bill was then ordered to be engrossed and read the third time, by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. O'Malley,	
Andrews,	Groves,	Ord,	
A. C. Baldwin,	Hazleton,	Pierce,	
Barbour,	Hollister,	Ransom,	
Botherson,	Jones,	Rice,	
Chubb,	Kennedy,	Sprague,	
Cole,	Leland,	Sweeney,	
Cook,	Leach,	Toll,	
Davis,	W. Lewis,	Wakeman,	
Dunham,	McDonald,	Walker,	
Edmunds,	Moran,	Webster,	
Giddings,	Morse,	Wing,	36

NAYS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Sanborn,	
Barrett,	T. Lewis,	Ten Eyck,	
Hand,	Peck,	Speaker,	9

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled,

The "joint resolution relative to certain documents," and as correctly engrossed,

The "bill to secure to Stephen J. Morse the right of pre-emption to certain school lands."

The last named bill was then read the third time and passed; and the question being on its title,

Mr. Hand moved to amend the same by striking out the word "secure" and insert "give," which motion was lost, and the original title agreed to.

On motion of Mr. C. Baldwin,

The House adjourned.

Wednesday, January 21, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Graham and Palmer were absent on leave, and Messrs. Ames, Noble and Ord absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Noble, for an indefinite period, on account of indisposition.

The journal of yesterday was read and corrected.

PETITIONS PRESENTED.

By Mr. Hazleton, of D. W. C. Leech and thirty-six others, legal voters of Genesee county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Hawley, two several petitions of citizens of Wayne county, for a division of said county. Referred to the committee on the organization of townships and counties.

By Mr. W. Lewis, of thirty-six inhabitants of the township of Assyria, Barry county, for a division of said township. Referred to the committee on the organization of townships and counties.

Also, a remonstrance of thirty inhabitants of the county of Barry, against laying out a state road from the county site of Eaton county to the county site of Barry county. Referred to the committee on roads and bridges.

By Mr. Jones, of citizens of Ingham county, for a sale of the public works. Referred to the select committee on that subject.

Barbour,	Hazleton,	Pierce,	
Barrett,	Hollister,	Ransom,	
Brotherson,	Jones,	Rice,	
Chubb,	Kennedy,	Sweeney,	
Cole,	Leland,	Toll,	
Cook,	Leach,	Wakeman,	
Davis,	W. Lewis,	Webster,	
Dunham,	McDonald,	Walker,	
Edmunds,	Moran,	Speaker,	36

Mr. Hawley moved to amend the bill by adding the following section:

Sec. 2. Upon the issue of the certificate of purchase of the said lands by the commissioner of the land office, said commissioner shall transmit to the state treasurer a statement of the amount of difference between the mininum price of public lands of the United States, and the minimum price of the primary school lands; and the said treasurer is hereby directed to transfer from the general fund to the credit of the primary school fund the amount so transmitted.

Pending which, on motion of Mr. A. C. Baldwin, the previous question was ordered, and the main question was ordered to be now put.

The first question being on the amendment offered by Mr. Hawley, it was lost.

The bill was then ordered to be engrossed and read the third time, by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. O'Malley,	
Andrews,	Groves,	Ord,	
A. C. Baldwin,	Hazleton,	Pierce,	
Barbour,	Hollister,	Ransom,	
Botherson,	Jones,	Rice,	
Chubb,	Kennedy,	Sprague,	
Cole,	Leland,	Sweeney,	
Cook,	Leach,	Toll,	
Davis,	W. Lewis,	Wakeman,	
Dunham,	McDonald,	Walker,	
Edmunds,	Moran,	Webster,	
Giddings,	Morse,	Wing,	36

NAYS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Sanborn,	
Barrett,	T. Lewis,	Ten Eyck,	
Hand,	Peck,	Speaker,	9

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled,

The "joint resolution relative to certain documents," and as correctly engrossed,

The "bill to secure to Stephen J. Morse the right of pre-emption to certain school lands."

The last named bill was then read the third time and passed; and the question being on its title,

Mr. Hand moved to amend the same by striking out the word "secure" and insert "give," which motion was lost, and the original title agreed to.

On motion of Mr. C. Baldwin,

The House adjourned.

Wednesday, January 21, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Graham and Palmer were absent on leave, and Messrs. Ames, Noble and Ord absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Noble, for an indefinite period, on account of indisposition.

The journal of yesterday was read and corrected.

PETITIONS PRESENTED.

By Mr. Hazleton, of D. W. C. Leech and thirty-six others, legal voters of Genesee county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Hawley, two several petitions of citizens of Wayne county, for a division of said county. Referred to the committee on the organization of townships and counties.

By Mr. W. Lewis, of thirty-six inhabitants of the township of Assyria, Barry county, for a division of said township. Referred to the committee on the organization of townships and counties.

Also, a remonstrance of thirty inhabitants of the county of Barry, against laying out a state road from the county site of Eaton county to the county site of Barry county. Referred to the committee on roads and bridges.

By Mr. Jones, of citizens of Ingham county, for a sale of the public works. Referred to the select committee on that subject.

Also, of the officers of the Lyceum of Ingham county, for the passage of an act of incorporation for that association. Referred to the committee on banks and incorporations.

By Mr. Walker, a remonstrance of citizens of the township of Hamtramck, against the division of said township. Referred to the committee on the organization of townships and counties.

By Mr. Rice, of J. Carpenter, and fifty-four other legal voters of the county of Lenawee, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Pierce, of fifty-eight citizens of Washtenaw county, relative to the Monroe and Grand River Territorial Road. Referred to the committee on roads and bridges.

REPORTS.

Mr. Dunham, from the committee on claims, to whom was referred the petition of Asher Bonham, for relief, reported a "joint resolution in relation to the claim of Asher Bonham," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Walker, from the select committee on apportionment, reported a "bill to apportion anew the representatives and senators among the several counties and districts of this state," which was read twice, and

On motion of Mr. Patterson,

Laid on the table and ordered to be printed.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Barbour,

Resolved, That the clerk of this House be directed to invite the Senate to meet them in joint convention on Tuesday next, for the purpose of electing a Treasurer of the State, and to act upon any join nomination which his excellency the Governor, may be pleased to make.

Mr. Hand offered the following resolution, which was rejected:

Resolved, That the committee on militia be instructed to inquire and report to this House, if any and what arrangement may be made whereby the state arms, ordinance and military stores may be stored at the U. S. Arsenal, at Dearbornville, in this state.

Mr. Blair offered the following resolution:

Resolved, That the special committee on the subject of a sale of the public works, be instructed to report a bill providing for such sale, with all convenient speed.

Mr. A. C. Baldwin moved to lay the resolution on the table, which motion was lost by the following vote :

YEAS.

Mr. Andrews,	Mr. Cook,	Mr. T. Lewis,	
A. C. Baldwin,	Davis,	W. Lewis,	
C. Baldwin,	Hand,	O'Malley,	
Barrett,	Hawley,	Scott,	
Cole,	Hollister,	Sprague,	15

NAYS.

Mr. Barbour,	Mr. Leland,	Mr. Sanborn,	
Blair,	Leach,	Sweeney,	
Brotherson,	McDonald,	Ten Eyck,	
Chubb,	Moran,	Thomas,	
Dunham,	Morse,	Toll,	
Edmunds,	Parsons,	Wakeman,	
Giddings,	Patterson,	Walker,	
Glen,	Peck,	Webster,	
Groves,	Pierce,	Wing,	
Jones,	Ransom,	Speaker,	
Kennedy,	Rice,		32

Mr. Patterson moved the indefinite postponement of the resolution, which motion was negatived by yeas and nays as follows :

YEAS.

Mr. Andrews,	Mr. Davis,	Mr. O'Malley,	
C. Baldwin,	Glen,	Patterson,	
Barbour,	Hand,	Scott	
Barrett,	Hawley,	Sprague,	
Cole,	T. Lewis,	Sweeney,	
Cook,	W. Lewis,		17

NAYS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Sanborn,	
Blair,	Leland,	Ten Eyck,	
Brotherson,	Leach,	Thomas,	
Chubb,	McDonald,	Toll,	
Dunham,	Moran,	Wakeman,	
Edmunds,	Morse,	Walker,	
Giddings,	Parsons,	Webster,	
Groves,	Peck,	Wing,	
Hollister,	Pierce,	Speaker,	
Jones,	Ransom,		29

Mr. Hawley moved to amend the resolution, by striking out the

words "report a bill providing for such sale," which motion was lost.

The question then recurring on the resolution, it was adopted by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Leland,	Mr. Ransom,
Blair,	Leach,	Rice,
Brotherson,	T. Lewis,	Sanborn,
Chubb,	W. Lewis,	Ten Eyck,
Dunham,	McDonald,	Toll,
Edmunds,	Morse,	Wakeman,
Giddings,	O'Malley,	Walker,
Groves,	Parsons,	Webster,
Hollister,	Peck,	Wing,
Jones,	Pierce,	Speaker,
Kennedy,		31

NAYS.

Mr. Andrews,	Mr. Davis,	Mr. Patterson,
C. Baldwin,	Glen,	Sprague,
Barrett,	Hand,	Sweeney,
Cole,	Hawley,	Thomas,
Cook,	Moran,	14

On motion of Mr. Groves,

The select committee to whom the subject of the sale of the railroads was referred, and the committee on the judiciary, were given leave to sit during the sessions of the House.

On motion of Mr. Toll,

Resolved, That the adjutant general be directed to inquire and report to this House, if any, and what arrangements may be made, whereby the state arms, ordnance, and military stores may be stored at the U. S. arsenal, at Dearbornville.

Mr. A. C. Baldwin gave notice, that on some future day, he should ask leave to introduce a bill to change the name of Elvira Herrick to Elvira Rathbun.

The following message was announced from the Senate:

SENATE CHAMBER, *January* 20, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "joint resolution proposing an amendment to the constitution relative to the pay of members" which they have adopted, and "a bill relative to the claim of Lewis E. Bailey for a horse lost in the service of the state in de-

fending the supremacy of the laws," which the Senate have passed, and in both of which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JA'S E. PLATT,
Secretary of Senate.

The "joint resolution proposing an amendment to the constitution, relative to the pay of members," was read twice, and

On motion of Mr. Cook, referred to the committee on the judiciary.

The "bill relative to the claim of Lewis E. Bailey, for a horse lost in the service of the state in defending the supremacy of the laws," was read twice, and

On motion of Mr. Patterson, referred to the committee on claims.

The unfinished business of yesterday, being the "bill to incorporate the Adrian Seminary" came up, and the question being on concurring in the amendment made in committee of the whole, it was concurred in, the amendment was ordered to be engrossed, and the bill ordered to its third reading.

Mr. W. Lewis, from the committee on engrossment and enrollment, reported as correctly engrossed the House amendment to the "bill to incorporate the Adrian Seminary."

The bill was then read the third time and passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Pierce,	
A. C. Baldwin,	Hazelton,	Ransom,	
C. Baldwin,	Hollister,	Rice,	
Barbour,	Jones,	Sanborn,	
Barrett,	Kennedy,	Scott,	
Blair,	Leland,	Sprague,	
Chubb,	Leach,	Sweeney,	
Cook,	T. Lewis,	Ten Eyck,	
Cole,	W. Lewis,	Thomas,	
Davis,	McDonald,	Toll,	
Dunham,	Moran,	Wakeman,	
Edmunds,	Morse,	Walker,	
Giddings,	O'Malley,	Webster,	
Glen,	Parsons,	Wing,	
Groves,	Patterson,	Speaker,	
Hand,	Peck,		47

NAYS. 0

On motion of Mr. Andrews,

The House adjourned.

words "report a bill providing for such sale," which motion was lost.

The question then recurring on the resolution, it was adopted by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Leland,	Mr. Ransom,
Blair,	Leach,	Rice,
Brotherson,	T. Lewis,	Sanborn,
Chubb,	W. Lewis,	Ten Eyck,
Dunham,	McDonald,	Toll,
Edmunds,	Morse,	Wakeman,
Giddings,	O'Malley,	Walker,
Groves,	Parsons,	Webster,
Hollister,	Peck,	Wing,
Jones,	Pierce,	Speaker,
Kennedy,		31

NAYS.

Mr. Andrews,	Mr. Davis,	Mr. Patterson,
C. Baldwin,	Glen,	Sprague,
Barrett,	Hand,	Sweeney,
Cole,	Hawley,	Thomas,
Cook,	Moran,	14

On motion of Mr. Groves,

The select committee to whom the subject of the sale of the railroads was referred, and the committee on the judiciary, were given leave to sit during the sessions of the House.

On motion of Mr. Toll,

Resolved, That the adjutant general be directed to inquire and report to this House, if any, and what arrangements may be made, whereby the state arms, ordnance, and military stores may be stored at the U. S. arsenal, at Dearbornville.

Mr. A. C. Baldwin gave notice, that on some future day, he should ask leave to introduce a bill to change the name of Elvira Herrick to Elvira Rathbun.

The following message was announced from the Senate:

SENATE CHAMBER,
January 20, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "joint resolution proposing an amendment to the constitution relative to the pay of members" which they have adopted, and "a bill relative to the claim of Lewis E. Bailey for a horse lost in the service of the state in de-

fending the supremacy of the laws," which the Senate have passed, and in both of which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JA'S E. PLATT,
Secretary of Senate.

The "joint resolution proposing an amendment to the constitution, relative to the pay of members," was read twice, and

On motion of Mr. Cook, referred to the committee on the judiciary.

The "bill relative to the claim of Lewis E. Bailey, for a horse lost in the service of the state in defending the supremacy of the laws," was read twice, and

On motion of Mr. Patterson, referred to the committee on claims.

The unfinished business of yesterday, being the "bill to incorporate the Adrian Seminary" came up, and the question being on concurring in the amendment made in committee of the whole, it was concurred in, the amendment was ordered to be engrossed, and the bill ordered to its third reading.

Mr. W. Lewis, from the committee on engrossment and enrollment, reported as correctly engrossed the House amendment to the "bill to incorporate the Adrian Seminary."

The bill was then read the third time and passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Pierce,
A. C. Baldwin,	Hazelton,	Ransom,
C. Baldwin,	Hollister,	Rice,
Barbour,	Jones,	Sanborn,
Barrett,	Kennedy,	Scott,
Blair,	Leland,	Sprague,
Chubb,	Leach,	Sweeney,
Cook,	T. Lewis,	Ten Eyck,
Cole,	W. Lewis,	Thomas,
Davis,	McDonald,	Toll,
Dunham,	Moran,	Wakeman,
Edmunds,	Morse,	Walker,
Giddings,	O'Malley,	Webster,
Glen,	Parsons,	Wing,
Groves,	Patterson,	Speaker,
Hand,	Peck,	47

NAYS. 0

On motion of Mr. Andrews,

The House adjourned.

Thursday, January 22, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Graham and Noble were absent on leave, and Messrs. Ord, Patterson and Toll absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hazelton, of B. P. Foster, and forty-six other legal voters of Genesee county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Sanborn, two several petitions of citizens of Lapeer county, for the re-attaching of certain territory to said county. Referred to the committee on the organization of townships and counties.

Also, two several petitions of citizens of Lapeer county, for the incorporation of a company to construct a railroad from Port Huron, in St. Clair county, to Grand Haven. Referred to the commtitee on banks and incorporations.

By Mr. Leach, three several petitions of citizens of Macomb county, for the repeal of an act to provide for laying out, establishing, and constructing a state road in the said county. Referred to the committee on roads and bridges.

By Mr. Walker, the remonstrance of Pliny Power and one hundred and fifty-three other citizens of Macomb county, against the repeal of an act laying a certain state road in said county. Referred to the committee on roads and bridges.

By Mr. Morse, resolutions of the board of supervisors of Ottawa county, relative to the tax roll of the townships of Ottawa and Norton, for the year 1843. Referred to the committee on ways and means.

By Mr. Peck, the petition of Charles S. Gregory, and one hundred and nineteen other citizens of the county of Livingston, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Hollister, of twenty-nine citizens of the township of Port Huron, St. Clair county, for the same. Same reference.

By Mr. Barbour, of C. T. Gorham, and two hundred and twenty-eight others, for the same. Same reference.

Mr. Hand, from the judiciary committee, made the following report:

The judiciary committee, to whom was referred a "joint resolution recommending an amendment to the constitution of the State of Michigan," with instructions to amend the same, have amended said joint resolution in pursuance of said instructions, and have instructed me to report the same to the House as amended.

The same committee, to whom was referred a "joint resolution proposing an amendment to the constitution relative to the pay of members," have had the same under consideration, and have instructed me to report the same back to the House with an amendment.

The proposed amendment is to strike out all in said resolution after the word "resolved," and insert in lieu thereof the terms of the joint resolution, (which originated in this House,) as amended, and recommend the passage of the said joint resolutions so amended.

All which is respectfully submitted.

The report was accepted, and the joint resolution and substitute were referred to the committee of the whole, and placed on the general order.

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, January 22, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, a "joint resolution relative to journals, documents and session laws." ALPHEUS FELCH.

The following communication was received from the commissioners of internal improvement, which was read, and

On motion of Mr. Andrews, referred to the committee on internal improvement.

To the House of Representatives:

The undersigned, commissioners of internal improvement, respectfully represent, that the Hon. Auditor General has charged against specific appropriations for completing the Central Railroad, all sums of money paid for "right of way," engineering, and for the appraisal of damages, and consequently the amount appropriated last winter, for the completion of said road, is insufficient for that purpose, and is indeed at the present time exhausted.

The amount of damages between Jackson and Kalamazoo, assessed by the board of appraisers, and now unpaid, is thirty-seven hundred, twelve 50-100ths dollars. To this amount, a like sum should be added for increase of award by the commissioners of internal improvement, and for damages upon lands not yet appraised.

Whole sum for settling damages,	$7,425 00
Amount due, and to become due engineers,	1,000 00
Amount due, and to become due contractors,	11,277 87
Amount required to pay extra allowance for work. and for incidental expenses,	2,500 00
Expenses,	$22,202 87

We are, therefore, under the necessity of respectfully asking the legislature to make an appropriation of twenty thousand acres of land, for the final settlement of the above claims.

O. C. COMSTOCK, Jr.,
GEORGE REDFIELD,
R. P. ELDREDGE,
Commissioners of Internal Improvement.

The following communication was received from the commissioner of revision:

Detroit, Januury 22, 1846.

To the Speaker of the House of Representatives:

Sir:—I have the honor herewith to transmit to the House of Representatives, that portion of the proposed revision of the statutes, comprised in chapters numbered from fifty-two to ninety, inclusive.

Very respectfully,
Your obedient servant,
S. M. GREEN.

On motion of Mr. Hand,

The communication and accompanying documents were referred to the committee on the judiciary.

On motion of Mr. Walker,

The "bill to apportion anew the Representatives and Senators among the several counties and districts of this state," was taken from the table.

Mr. Walker moved to refer the bill to the committee of the whole, and make it the special order for to-morrow.

Mr. Hawley moved to amend the motion, by striking out "to-morrow," and inserting "Wednesday next," which motion was lost, and the original motion prevailed.

On motion of Mr. Hazleton,

Resolved, That the committee on printing be requested to furnish each member of the House with the census of each of the several counties of this state, for the year 1845.

Mr. Brotherson, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to amend an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841," which bill was read twice and referred to the committee on the judiciary.

On motion of Mr. Rice,

The vote by which the "bill to incorporate the Adrian Seminary" was passed, was reconsidered, and the bill recommitted to the committee on banks and incorporations, with instructions to make certain amendments.

On motion of Mr. A. C. Baldwin,

The House went into committee of the whole on the general order, Mr. Peck in the chair, and after a time spent thereon the committee rose, and by their chairman reported that they had had under consideration, "a joint resolution in relation to the claim of Asher Bonham," which they reported back without amendment, and a "joint resolution proposing an amendment to the constitution relative to the pay of members," which they reported back with an amendment, being a substitute therefor, in which the concurrence of the House was asked.

On motion of Mr. Cole,

The "joint resolution relative to the claim of Asher Bonham," was laid on the table.

The amendment made in committee of the whole to the "joint resolution proposing an amendment to the constitution relative to the pay of members," was non-concurred by the House; and

On motion of Mr. Hazelton,

The joint resolution was laid upon the table.

On motion of Mr. Hand,

The House adjourned.

Friday, January 23, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Ames, Hazelton, Hollister, T. Lewis, Ord, Patterson, Peck, Thomas, Toll and Walker, were absent without leave.

Mr. Davis asked and obtained leave of absence for Mr. Thomas, until Monday next.

Mr. Dunham, for Mr. Toll, till to-morrow.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Sanbourn, of C. P. Goodrich and twenty-five other legal voters of Lapeer county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Brotherson, of Tracy W. Root and sixty other citizens of Washtenaw county, asking the sale of the public works. Referred to the select committee on that subject.

By Mr. Scott, of Stephen Pearl, and other citizens of the township of Greenbush, for the attaching of certain territory to said township, and for other purposes. Referred to the committee on the organization of townships and counties.

By Mr. Hollister, of one hundred and thirty-eight citizens of St. Clair county, for the incorporation of a company, to be called the Port Huron and Lake Michigan Rail-road Company. Referred to the committee on banks and incorporations.

The following communication was received from the Auditor General, which was referred to the committee on ways and means:

AUDITOR GENERAL'S OFFICE,
Detroit, January 23, 1846.

Hon. ISAAC E. CRARY, *Speaker &c.*

SIR:—Among the matters handed over last summer by E. P. Hastings, former Auditor General, to the trustees of state assets, was a receipt of Thomas J. Drake, to the State Treasurer, in Dec., 1840, for twenty-one dollars paid him as one of the electors of President and Vice President in that year. As I am not aware of any provision of law authorizing the payment of the electors for their time and expenses in meeting to cast their vote for President and Vice

President, or fixing the compensation, and as I cannot find any special appropriation to Thomas J. Drake, as an elector, for the above sum of twenty-one dollars, or any other sum, the trustees who took the above receipt from Mr. Hastings, as a 'cash item,' are unable to pay the same over to the State Treasurer, *as cash*, until a warrant can be drawn for it, for which purpose an appropriation will be necessary. I would therefore respectfully ask the reference of this communication to the appropriate committee, that an appropriation to Thos. J. Drake, for the use of the trustees of state assets, for the above sum of twenty-one dollars, may be made.

Very respectfully,

JOHN J. ADAM,

Aud. Gen'l, & Ch'n Trustees.

The following communication was received from the Geological depar:ment:

OFFICE OF STATE GEOLOGIST, TOPOGRAPHICAL DEPARTM'T,
Detroit, Jan. 21, 1846.

To the Speaker of the House of Representatives:

SIR:—I had the honor of receiving on the 19th inst., the following: "*Resolved*, That the Topographer of the Geological Department be directed to prepare and furnish to this House, a skeleton map on a large scale, of so much of the state as lies between its southern boundary and the north line of Midland and Oceana counties; designating only the outlines of the counties and townships, and the population of each, according to the last census, to be distinctly inscribed within the lines of each respective township and county."

Adopted January 19, 1846.

I herewith transmit to the House of Representatives the map contemplated by the above resolution.

Very respectfully,

Your obedient servant,

S. W. HIGGINS,

Topographer to Geological Dep'mt.

Mr. Walker, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to incorporate the Shelby and Detroit Rail-road Company," which was read twice, and,

On motion of Mr. Walker,

Laid on the table and ordered to be printed.

On motion of Mr. Walker,

The committee of the whole were discharged from the consideration of the special order, being the "bill to apportion anew the Representatives and Senators among the several counties and districts of this state," and the bill being before the House,

Mr. Jones moved that the bill be re-committed to the select committee on apportionment, with instructions so to amend the bill as to divide the county of Wayne into six, the county of Washtenaw into five, the county of Lenawee into four, the county of Monroe into three, the county of Hillsdale into two, the county of Branch into two, the county of St. Joseph into two, the county of Cass into two, the county of Berrien into two, the county of Kalamazoo into two, the county of Calhoun into three, the county of Jackson into three, the county of Livingston into two, the county of Oakland into six, the county of Macomb into three, the county of Genesee into two representative districts, each of which shall be entitled to one representative, and shall contain, as near as may be, an equal number of inhabitants; and to the counties of St. Clair, Lapeer, Shiawassee, Clinton, Ionia, Kent, Barry, Eaton, Ingham, Van Buren, Chippewa, Mackinac, and Saginaw, each one representative; and to the counties of Allegan and Ottawa, one representative; pending which,

Mr. A. C. Baldwin moved that the bill be recommitted to the special committee with instructions to divide the state into single representative districts, which motion was lost.

The question then recurring on the motion made by Mr. Jones, it it was lost, by the following vote:

YEAS.

Mr. Andrews,	Mr. Jones,	Mr. Parsons,
Barrett,	Leland,	Pierce,
Blair,	Leach,	Ransom,
Botherson,	W. Lewis,	Rice,
Chubb,	Morse,	Sanborn,
Edmunds,	Palmer,	Scott,
Giddings,		19

NAYS.

Mr. A. C. Baldwin,	Mr. Graham,	Mr. Patterson,
C. Baldwin,	Hand,	Sprague,
Barbour,	Hollister,	Sweeney,
Cole,	Kennedy,	Ten Eyck,
Cook,	T. Lewis,	Wakeman,

Davis,	Moran,	Walker,	
Dunham,	Noble,	Wing,	
Glen,	O'Malley,	Speaker,	24

On motion of Mr. Walker,

The bill was laid on the table.

The following message was received from the Senate:

EXECUTIVE OFFICE,
Detroit, January 23, 1846.

To the House of Representatives:

I herewith transmit a copy of a letter this day received from the secretary of war, requesting this state to cede to the United States jurisdiction over the land reserved for the site of Fort Gratiot, in St. Clair county, together with copies of certain documents accompanying said letter.

ALPHEUS FELCH.

On motion of Mr. Hawley,

The documents transmitted by the Governor, were referred to the committee on federal relations.

The following message was received from the Senate:

SENATE CHAMBER,
January 22, 1846.

To the Speaker of the House of Repsesentatives:

SIR—I am instructed by the Senate to transmit "a bill to provide for the payment of George A. Coe, while claiming a seat as Senator from the fourth Senatorial district."

Also, "a bill to authorise James Seymour to keep up a dam on Flint river, in the county of Genesee," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also, to return the "joint resolutions relative to the Oregon Territory," and to respectfully inform the House that the Senate have adopted the same with an amendment, in which they respectfully ask the concurrence of the House.

Also, to transmit a "joint resolution relative to joint convention of the two Houses," which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

The "bill to authorise James Seymour to keep up a dam on Flint

Mr. Patterson, from the committee on ways and means, made the following report:

The committee on ways and means, to whom was referred the petition of J. R. Connor, Asa Madison, John Reno and John Hill, collectors of the second, third, fourth and fifth wards, of the city of Detroit, praying for an extension of the time for the collection of the state and county taxes of said wards, have had the same under consideration, and respectfully report: That from the statement of the petitioners it appears that the tax lists for the wards of which they are the collectors, were placed in their hands about the first day of December last; that the aggregate amount due from these wards was $13,702 33; that in consequence of the large amount, the difficulty of collecting, and the short time allowed for that purpose, they will be unable to collect the whole amount in season to make their returns to the county treasurer by the first day of February next, the time fixed by statute, without sacrificing a large amount of property.

The special legislation required by the petitioners should only be granted in extreme cases, as it involves the establishment of a precedent that holds out encouragement for delays in the payment and collection of taxes. Indulgence granted to one portion of the state may with propriety be claimed for another, and endless confusion in the operation of our tax laws ensue, from a belief that the legislature will grant further time. With these views, the committee very reluctantly favor the prayer of the petitioners. But, as the amount to be collected was large, and the period in which to make returns is rapidly approaching, in order to relieve our fellow-citizens, and to prevent a sacrifice of their property, the committee conclude to report a bill in conformity with the prayer of the petitioners. At the same time, they cannot refrain from expressing a hope that the legislature will not be embarrassed by any more applications of the kind.

The report was accepted, and the "bill to extend the time for collection of taxes in the second, third, fourth and fifth wards, in the city of Detroit, Wayne county," was read twice and ordered to be engrossed for a third reading.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to extend the

time for the collection of taxes in the second, third, fourth, and fifth wards, in the city of Detroit, Wayne county."

On motion of Mr. Walker, the rule was suspended, and the bill read a third time and passed.

Mr. Barbour, from the committee on internal improvement, to whom was referred the communication of the board of commissioners of internal improvement, reported a "bill to provide for the completion of the Central Railroad from Marshall to Kalamazoo," which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

On motion of Mr. Walker, the "bill to amend an act entitled an act to incorporate the Detroit and Shelby Railroad company," was taken from the table, placed on the general order, and referred to the committee of the whole.

Mr. A. C. Baldwin, pursuant to previous notice, asked and obtained leave to introduce a "bill to change the name of Elvira Herrick," which was read twice, referred to the committee of the whole, and placed on the general order.

Also, a bill to amend an act entitled "an act to incorporate the Troy and Rochester Railroad Company, approved March 24, 1844," which was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Peck,

The Senate joint resolution relative to a joint convention was taken from the table, and its further consideration indefinitely postponed.

On motion of Mr. Hazleton,

Resolved, That all bills reported to this House by a standing committee thereof shall be placed upon the general order and printed, unless otherwise ordered.

On motion of Mr. Hand,

Resolved, That the committee on internal improvement be instructed to inquire whether the office of Commissioner of Internal Improvement may not be abolished without prejudice to the public interests, and that they report by bill or otherwise.

On motion of Mr. Hand,

The joint resolutions proposing an amendment to the constitution, relative to the pay of members, was taken from the table.

Mr. Jones moved that its further consideration be indefinitely postponed, which motion was lost, by yeas and nays, as follows:

YEAS.

Mr. Blair,	Mr. Leach,	Mr. Pierce,	
Chubb,	W. Lewis,	Ransom,	
Gidding,	McDonald,	Rice,	
Hawley,	Palmer,	Sprague,	
Hazleton,	Parsons,	Wing,	
Jones,	Peck,	Speaker,	18

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Ord,	
Andrews,	Groves,	Patterson,	
Barbour,	Hand,	Scott,	
Barrett,	Kennedy,	Sweeney,	
Cole,	T. Lewis,	Ten Eyck,	
Cook,	Moran,	Wakeman,	
Davis,	Noble,	Webster,	
Dunham,	O'Malley,	Walker,	24

Mr. Pierce moved to amend the joint resolution, by striking out the word "forty" before "days" whenever it occurs, and inserting "thirty," and a division of the question being called for, it was taken on striking out, and lost as follows:

YEAS.

Mr. Ames,	Mr. Jones,	Mr. Pierce,	
Blair,	Leach,	Ransom,	
Chubb,	McDonald,	Rice,	
Giddings,	Parsons,	Walker,	
Graham,	Peck,	Webster,	
Hawley,			16

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Patterson,	
A. C. Baldwin,	Kennedy,	Scott,	
Barbour,	T. Lewis,	Sprague,	
Cole,	W. Lewis,	Sweeney,	
Cook,	Moran,	Ten Eyck,	
Davis,	Noble,	Wakeman,	
Dunham,	O'Malley,	Wing,	
Glen,	Ord,	Speaker,	
Groves,	Palmer,		26

On motion of Mr. Barbour,

The previous question was ordered, and the main question was ordered to be now put.

The main question, being on ordering the joint resolutions to a third reading, was then put, and decided in the affirmative by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Ord,	
Andrews,	Groves,	Patterson,	
A. C. Baldwin,	Hand,	Scott,	
Barbour,	Kennedy,	Sweeney,	
Cole,	T. Lewis,	Ten Eyck,	
Cook,	W. Lewis,	Wakeman,	
Davis,	Moran,	Walker,	
Dunham,	Noble,	Webster,	
Glen,	O'Malley,	Wing,	27

NAYS.

Mr. Blair,	Mr. Leach,	Mr. Pierce,	
Chubb,	McDonald,	Ransom,	
Giddings,	Palmer,	Rice,	
Hawley,	Parsons,	Sprague,	
Hazelton,	Peck,	Speaker,	
Jones,			16

The resolutions were then read the third time, and the question being on their passage,

Mr. Hazleton moved an adjournment, which motion was lost, by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. T. Lewis,	Mr. Pierce,	
Blair,	W. Lewis,	Ransom,	
Chubb,	McDonald,	Rice,	
Giddings,	O'Malley,	Scott,	
Hawley,	Palmer,	Sprague,	
Hazleton,	Parsons,	Ten Eyck,	
Leach,	Peck,		20

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Patterson,	
A. C. Baldwin,	Groves,	Sweeney,	
Barbour,	Hand,	Wakeman,	
Cole,	Jones,	Walker,	
Cook,	Kennedy,	Webster,	
Davis,	Moran,	Wing,	
Dunham,	Noble,	Speaker,	
Glen,	Ord,		23

On motion of Mr. Walker,

The previous question was ordered, and the main question was ordered to be now put.

Mr. Peck moved an adjournment, which was lost.

The main question being on the passage of the joint resolution, was then put and lost by the following vote, a majority of all the members elected not having voted in the affirmative:

YEAS.

Mr. Andrews,	Mr. Hand,	Mr. Patterson,
Barbour,	Kennedy,	Scott,
Cole,	T. Lewis,	Sweeney,
Cook,	W. Lewis,	Ten Eyck,
Davis,	Moran,	Wakeman,
Dunham,	Noble,	Walker,
Glen,	O'Malley,	Webster,
Graham,	Ord,	Wing,
Groves,		25

NAYS.

Mr. Ames,	Mr. Hazleton,	Mr. Peck,
A. C. Baldwin,	Jones,	Pierce,
Barrett,	Leach,	Ransom,
Blair,	McDonald,	Rice,
Chubb,	Palmer,	Sprague,
Giddings,	Parsons,	Speaker,
Hawley,		15

On motion of Mr. Cook,

The House adjourned.

Monday, January 26, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Messrs. A. C. Baldwin, Edmunds, Hand, Hollister, Leland and Sanborn were absent on leave, and Messrs. Graves T. Lewis, Ten Eyck and Thomas were absent without leave.

Mr. Scott asked and obtained leave of absence for Mr. Sanborn for an indefinite period.

Mr. Barbour, for Mr. Ten Eyck, for the day.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. Tell, of W. L. Elliott, and others, of St. Joseph county, for a law providing for assessment of damages on lands flowed by mill dams. Referred to the committee on the judiciary.

By Mr. Ames, of John A. Stephenson, for compensation for loss of a horse. Referred to the committee on claims.

Also, of inhabitants of Wayne and Monroe counties, for the organization of a new county. Referred to the committee on the organization of townships and counties.

Also, of Geo. W. Moore, and others of Wayne county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Blair, of H. A. Francisco, and other citizens of Jackson county, for the sale of the public works. Referred to the select committ on that subject.

By Mr. Chubb, of two hundred and four inhabitants of Jackson, Ann Arbor, Ypsilanti and Detroit, for the passage of a law admitting blind persons to pass over the State railroads free of charge. Referred to the committee on ways and means.

By Mr. Sprague, of H. Gardner and forty-one other inhabitants of the township of Matteson, in the county of Branch, for the repeal of a law relating to a certain highway. Referred to the committee on roads and bridges.

By Mr. Barbour, of James Winters and twenty-four other legal voters of Calhoun county, for extending the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Hand, of Peter E. Demill and forty other citizens of Jackson county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Ord, of J. L. Schoolcraft, relative to the assessors of the county of Chippewa. Referred to the committee on ways and means.

By Mr. Peck, of E. B. Bostwick, and one hundred and eighty-two others, of Kent county, for the incorporation of a company for the construction of the Port Huron and Lake Michigan Railroad. Referred to the committee on banks and incorporations.

Mr. Patterson, from the committee on ways and means, to whom was referred so much of the Governor's message as relates to the finances of the state, with the accompanying documents from the auditor general and state treasurer, made a report which was read, accepted, and

On motion of Mr. Hazleton,

Laid on the table, and one thousand extra copies ordered to be printed for the use of the House.

Mr. Dunham, from the committee on claims, to whom was referred the "bill relative to the claim of Lewis E. Baily, for a horse lost in the service of the state, in defending the supremacy of the laws," reported the same back without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Hawley, from the committee on banks and incorporations, made the following report:

The committee on banks and incorporations, to whom were referred the petition of the officers of the Lyceum of Ingham county, with accompanying papers, have had the same under consideration, and make the following report:

The petitioners set forth in their petition, that over one hundred citizens of Ingham county, associated themselves together by the name of "The Lyceum of Ingham county," under the provisions of the statute, found in part 1st, title 10, chapter 2, of the revised statutes, which secures corporate rights and privileges to associations voluntarily formed for educational purposes. That they have acquired considerable corporate property, in real and personal estate, which they intend to increase. But, entertaining doubts respecting the constitutionality of said law, and fearing the rights and privileges which they have supposed they possessed by virtue thereof, may be wrested from them, they pray the legislature to interfere in their behalf, by granting them a charter of incorporation.

While the committee feel a sincere desire to extend all proper legislative aid to those engaged in laudible efforts to improve the public mind, and acknowledge the propriety of encouraging and fostering the establishment of all such institutions, the benefits arising from which are unquestioned, yet they are not unmindful of the evils arising from special legislation in such cases. The statute in question is believed sufficient for all the purposes of such associations, provided it be a valid law.

The committee are aware that doubts have been, and still are, entertained of the constitutionality thereof, but presuming it constitu-

tional till the contrary is proved, and foreseeing the many evils which might arise to the numerous institutions founded under its provisions, were it otherwise—they decline at present acting further in behalf of the prayer of the petitioners, which, if granted, might increase doubts already existing, and unnecessarily cause the apprehensions for other institutions now reposing in quiet. Therefore, they report the petition and accompanying papers back to the House, that if judged expedient, they may be referred to the committee appropriately constituted to judge and report upon this mooted and vexed question, the validity of the above mentioned law.

The report was accepted, and

On motion of Mr. Jones,

The petition was referred to the committee on the judiciary.

Mr. Barbour, from the committee on internal improvement, reported a "bill to abolish the office of acting commissioner of internal improvement, and for other purposes," which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

The following communication was received from the Executive:

EXECUTIVE OFFICE,
Detroit, January 24, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State a "joint resolution relative to the Oregon Territory.

ALPHEUS FELCH.

The following communication was received from the Adjutant General:

ADJUTANT GENERAL'S OFFICE,
Detroit, January 26, 1846.

SIR:—In obedience with the resolution, adopted by the House of Representatives on the 21st January, to wit:

Resolved, That the Adjutant General be directed to inquire and report to this House, if any, and what arrangements may be made, whereby the state arms, ordnance and military stores may be stored at the U. S. Arsenal, at Dearbornville.

I have the honor to report, that without loss of time I entered into correspondence with Lieut. F. D. Callender, of Ordnance, command-

ing the U. S. Detroit Arsenal, at Dearbornville. Copies of my letters to that officer and his answer thereunto, are herewith most respectfully submitted.

Very respectfully,
Your obedient servant,
J. E. SCHWARZ,
Adjutant General.

HON. I. E. CRARY, *Speaker of the House of Representatives.*

On motion of Mr. Toll,

The communication and accompanying documents were referred to the committee on the militia.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Rice gave notice that on some future day, he should ask leave to introduce a bill to amend an act entitled "an act to incorporate the village of Adrian."

Mr. Peck gave notice that on some future day, he should ask leave to introduce a "bill for the incorporation of the Port Huron and Lake Michigan railroad company."

On motion of Mr. Barret,

Resolved, That the committee on the state library be requested to examine into the condition of the same, and the number of volumes belonging to it; the number missing of which there is no account, and whether any, and what legislation is necessary for the government and preservation of the same, and report by bill or otherwise.

On motion of Mr. Walker,

The House went into committee of the whole on the general order, Mr. Hawley in the chair, and after a time spent thereon, the committee rose, and by their chairman, reported that they had had under consideration a "bill to amend an act entitled an act to incorporate the Detroit and Shelby railroad company," which they reported back with an amendment, in which the concurrence of the House was asked; and a "bill to provide for the payment of George A. Coe, while claiming a seat as Senator from the fourth senatorial district;" a "bill to authorize James Seymour to keep up a dam on Flint river, in the county of Genesee;" a "bill to provide for the completion of the Central Railroad from Marshall to Kalamazoo; and a "bill to change the name of Elvira Herrick," which they reported back without amendment.

The amendment to the "bill to amend an act entitled an act to incorporate the Detroit and Shelby Railroad company," was concurred in.

On motion of Mr. Hand, the words "that time," in the last line of the third section of the bill were stricken out, and "such times" inserted.

The bill was then ordered to be engrossed, and read the third time.

The "bill to change the name of Elvira Herrick," was ordered to be engrossed, and read the third time.

The "bill to provide for the completion of the Central Railroad from Marshall to Kalamazoo," being under consideration, was,

On motion of Mr. Walker, laid on the table.

The "bill to provide for the payment of George A. Coe, whil claiming a seat as Senator from the fourth senatorial district," was ordered to a third reading, read a third time and passed.

The "bill to authorize James Seymour to keep up a dam on Flint river, in the county of Genesee, was,

On motion of Mr. Hazleton, laid on the table.

The following messages were received from the Senate:

SENATE CHAMBER,
January 24, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform the House, that Senators Chipman and Videto have been appointed a committee on the part of the Senate, to act with the committee on the part of the House, for the purpose of taking into consideration and reporting upon so much of the Governor's Message as relates to the geological survey, and all reports from officers in the geological department.

Respectfully, &c.,
JA'S E. PLATT,
Secretary of Senate.

SENATE CHAMBER,
January 26, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to secure to Stephen J. Morse the right of pre-emption to certain lands," and

to respectfully inform the House that the Senate have concurred therein.

Also, to respectfully inform the House that the Senate have adopted a resolution, of which the following is a copy:

"*Resolved*, That the Senate will meet the House of Representatives in joint convention, in the hall of said House, on such day as they may appoint, for the purpose of electing a State Treasurer, and of receiving and acting upon any communications which the Governor may be pleased to make," and that they accept the invitation of the House to go into joint convention to-morrow for that purpose.

Respectfully, &c.

JAS. E. PLATT,

Secretary of Senate.

The "bill to secure to Stephen J. Morse the right of pre-emption to certain lands," was ordered to be enrolled.

On motion of Mr. Ames, the House adjourned.

Tuesday, Jan. 27, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Chubb, Leland and Sanborn were absent on leave, and Mr. Brotherson absent without leave.

On motion of Mr. A. C. Baldwin, the rule requiring the reading of the journal was suspended.

PETITIONS PRESENTED.

By Mr. Glen, of S. P. Kingsley and twenty-two other citizens of Cass county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Davis, two several petitions of citizens of the township of Southfield, relative to certain university lands in said township. Referred to the committee on public lands.

By Mr. Hawley, of Henry Fralick and others, for the apportionment of the state into separate representative districts. Referred to the select committee on apportionment.

Also, of J. Shearer and other citizens of Wayne county, for the

sale of the public works. Referred to the select committee on that subject.

By Mr. Hand, of Peter Godfrey, relative to certain state building lands purchased by him. Referred to the committee on public lands.

By Mr. Jones, of Elihu Ellwood and twenty-four others, for an alteration of the Grand River road, in the township of Lansing, in the county of Ingham. Referred to the committee on roads and bridges.

By Mr. Peck, preamble and resolutions adopted by the Board of Supervisors of Livingston county, which were read, when

Mr. Peck moved that they be referred to the committee on ways and means, which motion was lost, and

On motion of Mr. Patterson,

They were referred to the select committee on the subject of the sale of the public works.

By Mr. Cole, the petition of ninety-three citizens of St. Joseph county, in relation to fences, &c. Referred to the committee on the judiciary.

By Mr. Ames, of citizens of Wayne county, for the sale of the public works. Referred to the select committee on that subject.

Also, of citizens of Wayne county, asking the division of said county. Referred to the committee on the organization of townships and counties.

By Mr. McDonald, of Ira Goodrich and sixty-five other legal voters of the county of Lenawee, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Scott, two several petitions of citizens of Clinton county, asking the sale of the public works. Referred to the select committee on that subject.

Also, of citizens of Clinton county, for the incorporation of the Port Huron and Lake Michigan Railroad Company. Referred to the committee on banks and incorporations.

REPORTS.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled, the bill to secure to Stephen J. Morse the right of pre-emption to certain school lands, and that the same was this day presented to the Governor for his signature.

Also, as correctly engrossed, the bill to amend an act entitled "an act to incorporate the Detroit and Shelby Railroad Company," and the "bill to change the name of Elvira Herrick."

Mr. Noble, from the committee on the judiciary, to whom was referred the report of the Commissioner of Revision, together with portions of the proposed laws, reported back to the House the preamble to the same, and also, title one, containing chapter one, entitled "of the statutes," and chapter two, entitled "of the Legislature;" and also, title two, containing nine chapters, with sundry amendments thereto.

On motion of Mr. A. C. Baldwin,

The report and amendments were laid on the table, and the amendments ordered to be printed.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Hazleton,

The bill to authorize James Seymour to keep up a dam on Flint river, in the county of Genesee, was taken from the table.

On motion of Mr. Toll,

The joint resolution in relation to the claim of Asher Bonham, was taken from the table.

On motion of Mr. Hand,

Resolved, That a committee of two be appointed to inform the Senate that the House will be ready to receive them in joint convention, for the purpose of electing a State Treasurer, and to act on any nominations which may be made to the joint convention by the Governor, at twelve o'clock this day in the hall of the House of Representatives.

The Speaker appointed as such committee Messrs. Hand and Brotherson.

Mr. Peck, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Port Huron and Lake Michigan Railroad Company, which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

On motion of Mr. Noble,

Resolved, That from and after the second day of February next, this House shall meet at half past nine o'clock in the morning of each day, and that when the House arrives at the general orders of the

day, it shall go into committee of the whole, and each day shall first consider such portions of the revision of the laws, as shall be upon the general order, and shall spend two hours thereon, or until the same is disposed of, before any other business is taken up in the committee of the whole.

The bill to amend an act to incorporate the Detroit and Shelby Railroad Company, was read the third time and passed, by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Peck,
Andrews,	Hazelton,	Pierce,
A. C. Baldwin,	Hollister,	Ransom,
Barbour,	Jones,	Rice,
Barrett,	Kennedy,	Scott,
Brotherson,	T. Lewis,	Sprague,
Chubb,	W. Lewis,	Sweeney,
Cook,	McDonald,	Ten Eyck,
Davis,	Moran,	Thomas,
Dunham,	O'Malley,	Toll,
Edmunds,	Ord,	Wakeman,
Glen,	Palmer,	Walker,
Graham,	Parsons,	Wing,
Hand,	Patterson,	Speaker, 42

NAYS.

Mr. C. Baldwin, Mr. Webster, 2

The bill to change the name of Elvira Herrick, was read the third time and passed.

The bill to authorize James Seymour to keep up a dam on Flint river, in the county of Genesee, being under consideration, it was,

On motion of Mr. Hazleton,

Amended as follows:

Strike out all in section one, after the word "craft" in the twelfth line, and insert as follows: "which said lock shall be built of sufficient size for the purpose intended, and the location and dimensions thereof, shall be determined by the associate judges of the circuit court for the county of Genesee, whose duty it shall be, on application therefor, and on payment of a sum not exceeding two dollars per day, for their fees, to make such order, determining the location, dimensions and mode of construction of such lock, as in their opinion public good may require, and provided further, this act shall confer no rights until the said lock be constructed."

The amendment was ordered to be engrossed, and the bill as amended, ordered to a third reading.

The joint resolution in relation to the claim of Asher Bonham, was ordered to be engrossed and read the third time.

On motion of Mr. Walker,

The House resolved itself into committee of the whole on the general order, Mr. Edmunds in the chair.

And after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration,

'A bill to lay out, in part, a state road from Saline, in the county of Washtenaw, to Monroe, in the county of Monroe;' and

'A bill relative to the claim of Lewis E. Bailey, for a horse lost in the service of the State in defending the supremacy of the laws, which they reported back to the House without amendment.

On motion of Mr. Jones,

The bills were laid on the table.

Mr. Hand, from the committee appointed to wait on the Senate and inform them that the House would be ready to receive them in joint convention this day, at twelve o'clock, reported that the committee had discharged the duty devolved upon them.

A committee from the Senate was announced, consisting of Senators Smith and Hale, who informed the House that the Senate would immediately meet them in joint convention.

After a short time, the honorable the Senate of the State of Michigan was announced, and the Senators were conducted to the seats prepared for them.

PROCEEDINGS IN JOINT CONVENTION.

The joint convention was called to order by the President.

The roll of the Senate was called by the secretary, when it was found that the Senators were all present, except Senators Allen, Rix and Williams, and the roll of the House being called by the Clerk, the Representatives were all present, except Messrs. Leland and Sanborn.

The President then stated that the object for which the convention had met, was to elect a State Treasurer in the place of George Redfield, and to act upon any communications which the Governor might be pleased to make.

Senator Howell offered the following resolution:

Resolved, That the election of State Treasurer be postponed until Thursday next, at twelve o'clock M., and that this convention adjourn until that time.

Senator Hale offered the following as a substitute for the foregoing resolution:

Resolved, That the joint convention do now proceed to the election of Treasurer, in the place of George Redfield, the present incumbent.

The question being first on the substitute, it was adopted by the following vote:

SENATORS.

YEAS.

Mr. Bush,	Mr. Denton,	Mr. Kibbee,	
Chipman,	Green,	Maynard,	
Coe,	Hale,	Videto,	9

NAYS.

Mr. Fenton,	Mr. Littlejohn,	Mr. Smith,	
Howell,	Robinson,	Thurber,	6

REPRESENTATIVES.

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Peck,	
Barbour,	Hollister,	Scott,	
Barrett,	Jones,	Sweeney,	
Blair,	Kennedy,	Ten Eyck,	
Brotherson,	Leach,	Thomas,	
Chubb,	W. Lewis,	Wakeman,	
Davis,	Morse,	Walker,	
Dunham,	Noble,	Webster,	
Giddings,	O'Malley,	Wing,	
Glen,	Palmer,	Speaker,	
Hand,	Patterson,		32

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. Parsons,	
A. C. Baldwin,	Hazleton,	Pierce,	
C. Baldwin,	T. Lewis,	Ransom,	
Cole,	McDonald,	Rice,	
Cook,	Moran,	Sprague,	
Edmunds,	Ord,	Toll,	
Graham,			19

The rolls of the Senate and House of Representatives were then called by the secretary and clerk respectively, when the Senators

and Representatives severally rose in their places, as their names were called, and voted *viva voce* as follows:

FOR GEORGE B. COOPER.

SENATORS.

Mr. Bush,	Mr. Green,	Mr. Robinson,	
Chipman,	Hale,	Smith,	
Denton,	Kibbee,	Thurber,	
Fenton,	Maynard,	Videto,	12

REPRESENTATIVES.

Mr. Ames,	Mr. Graham,	Mr. Patterson,	
Andrews,	Hand,	Peck,	
A. C. Baldwin,	Hawley,	Scott,	
C. Baldwin,	Hollister,	Sweeney,	
Barbour,	Kennedy,	Ten Eyck,	
Barrett,	T. Lewis,	Thomas,	
Cook,	W. Lewis,	Wakeman,	
Davis,	Morse,	Walker,	
Dunham,	O'Malley,	Wing,	
Glen,	Webster,	Speaker,	
Noble,			31

FOR HENRY ACKER.

Senator Coe, 1

REPRESENTATIVES.

Mr. Blair,	Mr. Hazelton,	Mr. Parsons,	
Botherson,	Jones,	Pierce,	
Chubb,	Leach,	Ransom,	
Edmunds,	McDonald,	Rice,	
Giddings,	Palmer,		14

FOR GEORGE REDFIELD.

Senator Howell, 1

REPRESENTATIVES.

Mr. Cole,	Mr. Moran,	Mr. Sprague,	
Groves,	Ord,		5

FOR ALEXANDER H. REDFIELD.

Senator Littlejohn, 1
Representative Toll, 1

Mr. Dunham offered the following resolution, which was adopted:

Resolved, by the Senate and House of Representatives of the State of Michigan in Joint Convention assembled, That Whereas, George B. Cooper has received a majority of the votes for treasurer of the State of Michigan, he is hereby declared to be duly elected state treasurer for the constitutional term of two years.

On motion of Mr. Walker,

Resolved, That a committee of two be appointed to wait on the Governor and inform him that the two Houses are assembled in joint convention and are ready to receive any communication he may be pleased to make.

The President appointed as such committee, Mr. Walker and Senator Smith, who, after a short absence, returned and reported that they had called on the Governor and informed him that the two Houses were assembled in joint convention, and were ready to receive any communication which he might be pleased to make, and that they received for answer that he had no communication to make.

On motion of Senator Thurber,

The joint convention adjourned.

J. E. PLATT,
Sec'y of Senate.
A. W. HOVEY,
Clerk of the House of Representatives.

The House of Representatives was called to order by the Speaker, who announced to the House the result of the joint convention.

On motion of Mr. Barbour,

The House adjourned.

Wednesday, January 28, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Mr. Leland was absent on leave, and Messrs. Brotherson, Ten Eyck, and Walker absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hazleton, of Geo. Crocker, and ninety-six other legal voters of the townships of Flushing and Flint, in the county of Genesee, for a division of the township of Flushing. Referred to the committee on the organization of townships and counties.

By Mr. Cole, of A. E. Trumbull, and other citizens of St. Joseph county, relative to the assessing of damages for flowed land. Referred to the committee on the judiciary.

By Mr. Jones, preamble and resolution of the board of supervisors of Eaton county, asking an alteration in the law relative to highways. Referred to the committee on roads and bridges.

By Mr. Morse, of Myron Tupper, and thirty-five others, for the organization of a new township in the county of Ionia. Referred to the committee on the organization of townships and counties.

By Mr. Barbour, two several petitions, one signed by fifty inhabitants of Wayne county, and the other signed by fifty-three inhabitants of Eckford, Calhoun county, asking for the sale of the public works. Referred to the select committee on that subject.

By Mr. Scott, five petitions of citizens of Clinton county, for the incorporation of a company for the construction of the Port Huron and Lake Michigan Railroad. Referred to the committee on banks and incorporations.

Mr. Ames, from the committee on enrollment and engrossment, reported as correctly engrossed the House amendment to the Senate "bill to authorize James Seymour to keep up a dam on Flint River, in the county of Genesee," and the "joint resolution relative to the claim of Asher Bonham."

On motion of Mr. Barbour,

The "bill to provide for the completion of the Central Railroad from Marshall to Kalamazoo," was taken from the table.

The "joint resolution relative to the claim of Asher Bonham," and the

"Bill to authorize James Seymour to keep up a dam on Flint River, in the county of Genesee," were severally read the third time and passed.

The "bill to provide for the completion of the Central Railroad from Marshall to Kalamazoo," was taken up by the House, when

On motion of Mr. Peck,

The bill was recommitted to the committee on internal improvements, with instructions to amend the same, so that it shall provide only for the payment of subsisting contracts, for the construction and liquidation of damages for right of way on that portion of the Central Railroad from Jackson to Kalamazoo.

On motion of Mr. Hazleton,

The House went into committee of the whole on the general order, Mr. A. C. Baldwin in the chair.

And after a short time spent thereon, the committee rose and by their chairman reported that they had had under consideration a 'bill to abolish the office of Acting Commissioner of Internal Improvement, and for other purposes,' which they reported back without amendment, and a 'bill to incorporate the Port Huron and Lake Michigan Railroad Company,' on which they had made some progress, and asked leave to sit again thereon. Leave was granted.

The bill to abolish the office of Acting Commissioner of Internal Improvement, and for other purposes, was taken up, when,

Mr. Noble moved to lay it on the table, which motion was lost.

And the bill was ordered to be engrossed for a third reading.

The following message was received from the Senate:

SENATE CHAMBER,
January 28, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform the House, that the Senate have concurred in the amendments made by the House to the bill to incorporate the Adrian Seminary, and have ordered the bill as amended to be enrolled.

Also, to transmit a bill to authorize Corydon P. Benton, executor of the last will and testament of Daniel Davidson, deceased, to compromise a certain claim, which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also, to return the bill to extend the time for the collection of taxes in the second, third, fourth and fifth wards in the city of Detroit, and to respectfully inform the House that the Senate have passed the same.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The bill to extend the time for the collection of taxes in the second third, fourth and fifth wards in the city of Detroit, was ordered to be enrolled.

The bill to authorize Corydon P. Benton, executor of the last will and testament of Daniel Davidson, deceased, to compromise a certain claim, was read twice and referred to the committee on the judiciary.

On motion of Mr. Hand,

The House adjourned.

Thursday, January 29, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Mr. Cook was absent on leave, and Messrs. Ames, Brotherson, Graham, O'Malley, Ransom, and Scott were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Barbour, of Charles Smith and twenty-one others, for the sale of the public works. Referred to the select committee on that subject.

Also, of J. L. Sacket, and sixty others, for a state road from Albion to Charlotte.

Also, of Andrew Snyder, and eighteen others, for the same.

Also, of C. G. Crego, and twelve others, for the same, which petitions were referred to the committee on roads and bridges.

By Mr. Blair, of William Jackson, and other citizens of Jackson county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Wakeman, of J. L. Tinker, and seventeen others, of the township of Leoni, Jackson county, for the same purpose, Same reference.

REPORTS.

Mr. Noble, from the committee on the judiciary, to whom was referred the report of the commissioner of revision, reported back to the House, title 3, containing three chapters, with sundry amendments.

The amendments were referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Barbour, from the committee on internal improvement, to whom was recommitted the "bill to provide for the completion of the Central Railroad from Marshall to Kalamazoo," with instructions to amend the same, reported the same back with the amendments.

Mr. Patterson, from the committee on ways and means, to whom was referred the preample and resolutions of the board of supervisors of Ottawa county, reported a "bill to provide for the re-assessment of certain taxes in the townships of Ottawa and Norton, in Ottawa coun-

ty," which was read twice, referred to the committee of the whole, and placed on the general order.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Patterson,

Resolved, That the attorney general be requested to communicate to this House, what further legislation, if any, in his opinion, is necessary to secure the rights of the state connected with the loan of a hundred thousand dollars to the Detroit and Pontiac Railroad company, or to enable the state to convey the franchises of said company, or a right to use the road, to any individual or individuals, who may obtain an assignment of the lien of the state, or who might purchase the road upon a foreclosure of the mortgage on it held by the state.

Mr. Chubb gave notice that on some future day, he should ask leave to introduce a joint resolution providing for the postponement of the consideration of the report of the commissioner of revision, until the next annual session of the legislature.

Mr. Edmunds offered the following resolulution:

Resolved, That the committee on ways and means be instructed to inquire into and report to this House the aggregate amount paid or charged for advertising notices of tax sales in this state for each of the years 1843, 1844 and 1845, together with a bill authorizing such notices to be printed in pamphlet form, and requiring the Auditor General to let such printing to the lowest bidder, after having first given thirty days' notice in each of the papers printed in this city, that sealed proposals for such printing will be received at his office during the said period of thirty days.

Mr. Walker moved to amend the resolution by striking out the words "together with a bill," and insert "and also to inquire into the expediency of," and to add to the end of the resolution the words "and report by bill or otherwise."

Mr. Sanborn offered the following as a substitute for the resolution and amendment:

Resolved, That a select committee of three be instructed to inquire into, and report to this House the amount of money paid to printers, and all the attendant expenses, in the levying and collecting of taxes in the state, and what change, if any, should be adopted, and that they be instructed to report by bill or otherwise.

The question being first on the substitute, it was adopted.

On motion of Mr. Walker,

The "bill to apportion anew the Representatives and Senators among the several counties and districts of this state," was taken from the table, and re-committed to the committee of the whole house.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled, the "bill to extend the time for the collection of taxes in the second, third, fourth and fifth wards in the city of Detroit," and that the same was this day presented to the Governor for his approval.

Also, reported as correctly engrossed, the "bill to abolish the office of Acting Commissioner of Internal Improvement, and for other purposes."

On motion of Mr. Noble,

The "bill relative to the claim of Lewis E. Bailey for a horse lost in the service of the state, in defending the supremacy of the laws," was taken from the table.

On motion of Mr. Hawley,

The bill to lay out, in part, a state road from Saline, in the county of Washtenaw, to Monroe, in the county of Monroe, was taken from the table.

The "bill to abolish the office of Acting Commissioner of Internal Improvement, and for other purposes," was read the third time, and the question being on its passage,

Mr. Noble moved to recommit the bill to the committee on internal improvement, with instructions to make sundry amendments, pending which,

Mr. Peck moved that the House take a recess till half past two o'clock,

Mr. Hand moved an adjournment, which motion was lost,

And the question recurring on the motion to take a recess, it prevailed.

Afternoon Session.—Half past two o'clock.

The House met, and was called to order by the Speaker.

The Speaker appointed as the select committee, relative to tax advertising, under the resolution adopted this morning, Messrs. Sanborn Noble and Andrews.

The House resumed the consideration of the "bill to abolish the office of Acting Commissioner of Internal Improvement, and for other purposes,"

And the question being on the motion to recommit with instructions, when,

On motion of Mr. Ames,

The previous question was ordered, and the main question was ordered to be now put.

The main question, being on the passage of the bill, was then put, and the bill was passed by the following vote:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Pierce,	
Andrews,	Hollister,	Ransom,	
A. C. Baldwin,	Jones,	Rice,	
Barbour,	Kennedy,	Sprague,	
Blair,	Leland,	Ten Eyck,	
Brotherson,	Leach,	Thomas,	
Chubb,	McDonald,	Wakeman,	
Cole,	Morse,	Walker,	
Davis,	Ord,	Webster,	
Edmunds,	Palmer,	Wing,	
Glen,	Parsons,	Speaker,	33

NAYS.

Mr. C. Baldwin,	Mr. Groves,	Mr. Peck,	
Cook,	Hazleton,	Sanborn,	
Dunham,	Moran,	Sweeney,	
Giddings,	Noble,	Toll,	
Graham,			13

Mr. Walker moved a reconsideration of the vote by which the bill was passed, which motion was lost.

The House then took up the "bill to lay out, in part, a state road from Saline, in the county of Washtenaw, to Monroe, in the county of Monroe," when

Mr. Walker moved to strike out the fifth section, pending which,

Mr. Edmunds moved to strike out of the section the words "in such cases," and insert at the end of the section the words "relative to township roads," which motion prevailed.

Mr. Hazleton moved to lay the bill on the table, which motion was lost.

On motion of Mr. Noble,

Section five was amended by inserting in the second line, the words 'in the same manner, and under the restrictions."

Mr. Chubb moved to postpone the further consideration of the bill till Thursday next, which motion did not prevail.

The question then recurring on the motion to strike out the fifth section, it was lost.

Mr. A. C. Baldwin moved to strike out all after the enacting clause, which motion was decided in the negative.

The bill was then ordered to be engrossed and read the third time.

The House then took up the "bill relative to the claim of Lewis E. Bailey, for a horse lost in the service of the state, in defending the supremacy of the laws," and ordered it to a third reading by yeas and nays as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Hazleton,	Mr. Patterson,	
C. Baldwin,	Hollister,	Peck,	
Barbour,	Jones,	Rice,	
Barrett,	Kennedy,	Sprague,	
Brotherson,	McDonald,	Sweeney,	
Cole,	Moran,	Ten Eyck,	
Cook,	Morse,	Toll,	
Davis,	Noble,	Wakeman,	
Dunham,	O'Malley,	Speaker,	
Graham,	Ord,		29

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Sanborn,	
Andrews,	Hawley,	Scott,	
Blair,	Leland,	Thomas,	
Chubb,	Leach,	Walker,	
Edmunds,	Palmer,	Webster,	
Giddings,	Pierce,	Wing,	18

The bill was then read the third time, when,

On motion of Mr. Hazleton,

The previous question was ordered, and the main question was ordered to be now put.

The main question being on the passage of the bill, was then put, and the bill passed by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hazelton,	Mr. Patterson,
C. Baldwin,	Hollister,	Peck,
Barbour,	Jones,	Rice,
Brotherson,	Kennedy,	Sprague,
Cole,	Moran,	Sweeney,
Cook,	Morse,	Ten Eyck,

Davis,	Noble,	Toll,	
Dunham,	O'Malley,	Wakeman,	
Graham,	Ord,	Speaker,	37

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Ransom,	
Andrews,	Hawley,	Sanborn,	
Barrett,	Leland,	Scott,	
Blair,	Leach,	Thomas,	
Chubb,	Palmer,	Walker,	
Edmunds,	Parsons,	Webster,	
Giddings,	Pierce,	Wing,	21

On motion of Mr. O'Malley,

The House adjourned.

Friday, January 30, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Cook, Hand and Noble, were absent on leave, and Messrs. Dunham and Graham were absent without leave.

Mr. Toll asked and obtained leave of absence for Mr. Cook, for an indefinite time.

Mr. Davis, for Mr. Dunham till Tuesday next.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Chubb, of D. B. Brown and seventy others, asking the sale of the public works; referred to the select committee on that subject.

By Mr. Jones, of F. A. Stebbins and thirty-six others, for the extension of the right of suffrage to colored citizens; referred to the committee on the judiciary.

By Mr. Mc Donald, the petition of P. Geddes, and twenty-nine others of Cambridge, Lenawee county, together with a letter, asking the abolition of capital punishment; referred to the committee on the judiciary.

By Mr. Barbour, of James Winters and fifty-two others, asking the sale of the public works; referred to the select committee on that subject.

By Mr. Rice, of L. S. Hoxie and twenty other legal voters of Lenawee county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Patterson, of H. Willey, for interest on a certain claim allowed by the board of state auditors without interest. Referred to the committee on claims.

Also, of J. Carpenter and others of Blissfield, Lenawee county, for the passage of a law providing for the draining of swamps and marshes. Referred to the committee on agriculture and manufactures.

By Mr. Peck, of Jonathan Lamb, in regard to building of school houses. Referred to the committee on education.

REPORTS.

Mr. Noble, from the committee on the judiciary, to whom was referred the report from the commissioner of revision, reported back to the House title 4 of the proposed revision, containing four chapters, with sundry amendments.

The amendments were referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. W. Lewis, from the committee on roads and bridges, reported "a bill to provide for laying out and establishing certain state roads in the county of Hillsdale," which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. C. Baldwin, from the committee on claims, to whom was referred the petition of Henry B. Tichworth, reported a "joint resolution to authorize the State Auditors to settle with Henry B. Tichworth,"

Which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to lay out, in part, a state road from Saline, in the county of Washtenaw, to Monroe, in the county of Monroe."

The Speaker announced the following communication:

DETROIT,
January 30, 1846.

Hon. ISAAC E. CRARY, *Speaker of the House of Representatives:*

SIR:—I have the honor to transmit herewith to the House of Rep-

representatives, that portion of the proposed revision of the statutes, included between section 116, in chapter 90, and section 6, in chapter 125.

Very respectfully,
Your obedient servant,
S. M. GREEN.

The communication and accompanying documents were referred to the committee on the judiciary.

On motion of Mr. Andrews,

Resolved, That the hall of the House of Representatives be tendered to Mr. J. Lamb on Friday evening, the 6th of February, for the purpose of delivering a lecture on education.

Mr. Chubb, pursuant to previous notice, asked and obtained leave to introduce the following joint resolution:

Resolved by the Senate and House of Representatives of the State Michigan, That the consideration of the report of the Commissioner appointed to revise the laws of the State, be postponed until the next annual session of the legislature.

The joint resolution was read the first time,

And the question being on ordering it to a second reading, it was decided in the negative.

So the resolution was lost.

Mr. Wing gave notice that on some future day he should ask leave to introduce a bill to alter the division line between the townships of Iosco and Marion, Livingston county.

The "bill to lay out in part a state road from Saline, in the county of Washtenaw, to Monroe, in the county of Monroe," was read the third time, when,

On motion of Mr. Edmunds, it was laid on the table.

The "bill relative to the claim of Lewis E. Bailey, for a horse lost in the service of the state, in defending the supremacy of the laws," was taken up, and the title agreed to.

The House then took up the "bill to provide for the completion of the Central rail-road from Marshall to Kalamazoo," and the amendments reported by the committee on internal improvements, were concurred in, and the bill was ordered to be engrossed for a third reading.

Mr. Ames, from the committee on engrossment and enrollment,

reported the bill as correctly engrossed, and it was read a third time and passed; and the question being on the title, it was,

On motion of Mr. Barbour, amended by striking out the word "Marshall," and inserting "Jackson."

The House then resolved itself into committee of the whole on the "bill to incorporate the Port Huron and Lake Michigan Railroad Company," Mr. A. C. Baldwin in the chair, and after a time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. A. C. Baldwin,
The House adjourned.

Saturday, January 31, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. C. Baldwin, Cook, and Dunham were absent on leave, and Messrs. Brotherson, Cole, Leach, Moran, Morse, Ord, Wakeman, and Webster absent without leave.

Mr. Sanborn asked and obtained leave of absence for Mr. Morse till Monday next.

Mr. Hollister for Mr. Leach for the same time.

Mr. Groves for Mr. Moran for the same time.

Mr. Rice for Mr. Brotherson for to-day.

Mr. Toll for Mr. Cole for to-day.

Mr. Davis for Mr. Webster till Tuesday, and for Mr. C. Baldwin till Monday.

Mr. Hennedy for Mr. Wakeman till Tuesday.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Sanborn, of Daniel Black, and others, of the village of Newburg, Lapeer county, for a change of the name of said village. Referred to the committee on the organization of townships and counties.

By Mr. Barbour, of Marvin Hannahs, and seventy-five others, for

the sale of the public works. Referred to the select committee on that subject.

By Mr. Davis, of A. B. Cudworth, and ninety-six others of Oakland county, for the same; same reference.

By Mr. Groves, of eighty-nine citizens of the county of Berrien, for the same; same reference.

By Mr. McDonald, of Ebenezer Davidson and sixty-five others, for an appropriation to repair the Palmyra and Jacksonburgh railroad from Tecumseh to the village of Clinton; referred to the committee on internal improvement.

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Detroit, January 30, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, an "act to extend the time for the collection of taxes in the second, third, fourth and fifth wards of the city of Detroit, in the county of Wayne."

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
January 30, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to change the name of Elvira Herrick," and to respectfully inform the House that the Senate have passed the same.

Also to inform the House that the Senate have concurred in the House amendment to the "bill to authorize James Seymour to keep up a dam on Flint River, in the county of Genesee," and have ordered the bill as amended to be enrolled.

Also to transmit a "joint resolution authorizing a settlement with David Van Arman," which the Senate have adopted, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The bill to change the name of Elvira Herrick was ordered to be enrolled.

The "joint resolution authorizing a settlement with David Van Arman," was read twice, and referred to the committee on claims.

Mr. Blair gave notice that on some future day he should ask leave to introduce a joint resolution relative to the claim of Jacob Rhines.

Mr. Walker gave notice that on some future day he should ask leave to introduce a bill relative to mill dams and water powers.

Mr. Wing, pursuant to previous notice, asked and obtained leave to introduce a bill to provide for the division of the township of Ioáco, in Livingston county, which was read twice and referred to the committee on the organization of townships and counties.

On motion of Mr. Peck,

Resolved, That the committee on the judiciary be instructed to act with the like committee on the part of the Senate, to take into consideration the most convenient mode of proceedure, to be adopted by the two houses, in the revision of the statutes, and to report by resolution, order, or otherwise, with all convenient speed.

On motion of Mr. Patterson,

The following preambles and resolution were adopted.

Whereas, By the existing laws of this state no provision is made whereby persons who may have purchased and entered on the possession of lands by virtue of a tax title obtained from the state, or from individuals, and in good faith made valuable improvements on said lands, can obtain redress or compensation for their improvements, provided the title under which they hold is adjudged insufficient;

And whereas, the absence of all such provisions deters persons from undergoing the risk of purchasing and improving such lands;

Therefore Resolved, That the judiciary committee be instructed to enquire into the expediency of framing a bill to protect the equitable rights of those who in good faith have entered and made improvements upon such lands under a tax title.

On motion of Mr. Leland,

Resolved, That hereafter this house will hold two sessions each day, the morning session commencing at 9 o'clock, and the afternoon session at 2 o'clock.

On motion of Mr. Noble, he was excused from serving on the select committee appointed to ascertain the amount paid for tax advertising.

The Speaker appointed Mr. Walker on said committee in place of Mr. Noble.

On motion of Mr. Barbour,

The House went into committee of the whole on the general order, Mr. A. C. Baldwin in the chair.

And after a short time spent thereon, the committee rose and by their chairman reported that they had had under consideration a "bill to incorporate the Port Huron and Lake Michigan Rail-road company;"

A "bill to provide for the reassessment of certain taxes in townships of Ottawa and Norton, in Ottawa county;" and,

A "joint resolution authorizing the board of state auditors to make a final settlement with Henry B. Tickworth"

To which they had made sundry amendments in which the concurrence of the house was asked.

On motion of Mr. Walker,

The bill to incorporate the Port Huron and Lake Michigan Rail-road company, together with the amendments, was laid on the table.

The amendments to the bill to provide for the re-assessment of certain taxes in the townships of Ottawa and Norton, in Ottawa county, and to the joint resolution authorizing the board of state auditors to make a final settlement with Henry B. Tickworth, were concurred in; and the bill and joint resolution were severally ordered to be engrossed, and read a third time.

Mr. Ames, from the committee on enrollment and engrossment, reported as correctly engrossed, the "bill to provide for the re-assessment of certain taxes in the townships of Ottawa and Norton, in Ottawa county," and on his motion, the bill was ordered to be read the third time to day, two-thirds voting in favor of the motion.

The bill was then read the third time and passed.

On motion of Mr. Andrews,

The House adjourned.

Monday, February 2, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

On calling the roll, Messrs. Cook, Hand, Leach, Moran, Wakeman and Webster were absent on leave, and Messrs. Awes, Brotherson, Cole, Graham, Groves, W. Lewis, O'Malley, Ord, Patterson and Scott absent without leave.

Mr. Rice asked and obtained leave of absence for the day, for Messrs. Brotherson and W. Lewis.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. Barbour, of three hundred and eight citizens of Battle Creek and Emmett, Calhoun county, for the sale of the public works.

Also of M. Bardwell and fifty other citizens of Calhoun county, for the same; both of which petitions were referred to the select committee on that subject.

By Mr. Toll, of E. H. Bristol and other supervisors of St. Joseph county, for the relief of Levi C. Mathews. Referred to the committee on claims.

By Mr. Jones, of J. F. Hinman and seventy other citizens of Eaton county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. C. Baldwin, of Seneca Newberry and eighty-four other citizens of the township of Avon, Oakland county, for the division of the state into separate representative districts. Referred to the committee of the whole.

By Mr. Sprague, the remonstrance of H. C. Gilbert and one hundred and one other citizens of Branch county, against the attaching of the said county to the fourth senatorial district. Referred to the committee of the whole.

By Mr. Rice, the petition of John Binney and one hundred and thirty others, for the incorporation of the Woodstock Manual Labor School, for the education of colored youth and others, in the county of Lenawee. Referred to the committee on banks and incorporations.

Mr. T. Lewis, from the committee on the organization of town-

ships and counties, to whom was referred the "bill to provide for a division of the township of Iosco, Livingston county," reported the same back without amendment, and recommended its passage. The report was accepted, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Blair, pursuant to previous notice, asked and obtained leave to introduce a "joint resolution relative to the claim of Jacob Rhines," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Barbour gave notice that on some future day he should ask leave to introduce a bill to authorize the Methodist Episcopal Church of Marshall to convey certain real estate.

On motion of Mr. Pierce,

Resolved, That the committee on the militia be instructed to inquire into the propriety of abolishing militia trainings, and of providing for the formation and encouragement of independent companies, and report by bill or otherwise.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly enrolled, the "bill to change the name of Elvira Herrick," and that the same was this day presented to the Governor for his approval.

Also, as correctly engrossed, the "joint resolution authorizing the board of State Auditors to make a final settlement with Henry B. Tichworth," which joint resolution was read the third time and passed.

On motion of Mr. Noble, the first and second titles of the proposed revision were taken from the table, referred to the committee of the whole, and placed on the general order.

The House then resolved itself into committee of the whole on the general order, Mr. Patterson in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration Titles I. and II. of the proposed revision, in which they had made some progress, and asked leave to sit again. Leave was granted.

On motion of Mr. Peck,

The House adjourned.

Afternoon Session.—Two o'clock.

The House met pursuant to adjournment, was called to order by the Speaker, and on calling the roll, Messrs. Brotherson, Cook, Dunham, Hand, W. Lewis, Moran, Wakeman and Webster were absent on leave, and Messrs. Chubb, Cole, T. Lewis, Rice and Sanborn absent without leave.

The House then went into committee of the whole on the general order, Mr. Ames in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had had under consideration, a "bill to provide for a division of the township of Iosco, Livingston county," which they reported back with an amendment in which the concurrence of the House was asked, and also a "joint resolution relative to the claim of Jacob Rhines," which they reported back without amendment.

On motion of Mr. Peck,

The "bill to provide for the division of the township of Iosco, Livingston county," together with the amendments, were laid upon the table.

The "joint resolution relative to the claim of Jacob Rhines" was ordered to be engrossed for a third reading.

Mr. Ames from the committee on enrollment and engrossment reported as correctly engrossed, the "joint resolution relative to the claim of Jacob Rhines."

On motion of Mr. Walker,

The House resolved itself into a committee of the whole on the proposed revision, Mr. Patterson in the chair, and after a time spent thereon, the committee rose, and by their chairman reported back to the House titles I and II of the proposed revision of the statutes with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Blair,

The House adjourned.

Tuesday, February 3, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Cook, Dunham and Hand, were absent on leave, and Messrs. Ames, Andrews, C. Baldwin, Brotherson, Chubb, Leach, W. Lewis, Moran, Morse, Palmer, Patterson, Sanborn and Toll absent without leave.

Mr. Davis asked and obtained leave of absence for Mr. Palmer, for the remainder of the week.

Mr. Barbour for Mr. W. Lewis for the day.

Mr. Rice for Mr. Brotherson for the day.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Barbour, of twenty-eight citizens of Marshall, for the sale of the public works;

Also, of D. H. Pease, and thirty-one other citizens of Jackson county, for the same; both of which petitions were referred to the select committee on that subject.

By Mr. Ten Eyck, the claim of Edward D. Ellis. Referred to the committee on claims.

By Mr. Davis, of Job K. Knight, and others praying a reduction of the price of certain University lands, in Oakland county. Referred to the committee on public lands.

Also, of Isaac W. Ruggles and ninety-seven other citizens of the county of Oakland, for the extension of the elective franchise to all the citizens of the state. Referred to the committee on the judiciary.

Also, of William Douglas and other colored citizens of this state, for the same purpose. Same reference.

By Mr. Hand, of Rt. Rev. Bishop Lefevre, relative to the title of certain lands held in trust for certain religious purposes. Referred to the committee on the judiciary.

By Mr. McDonald, four several petitions, for an appropriation for the repair of the Palmyra and Jacksonburgh Railroad. Referred to the committee on internal improvement.

By Mr. A. C. Baldwin, of the guardian of the heirs of Theron

Skeel, for power to sell certain real estate. Referred to the committee on the judiciary.

By Mr. Giddings, of John Parker and fifty other citizens of Kalamazoo county, for the passage of a law taxing dogs. Referred to the committee on agriculture and manufactures.

Mr. C. Baldwin, from the committee on claims, to whom was referred the Senate "joint resolution relative to the claim of David Van Arman," reported the same back without amendment, and recommended its passage.

The joint resolution was referred to the committee of the whole, and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE,
Detroit, February 2, 1846.

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State, "an act to change the name of Elvira Herrick."

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
January 30, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "joint rerolution relative to the claim of David Dixon," which the Senate have adopted, and a 'bill to incorporate the Clinton institute,' and a "bill for the relief of John Nardin," which the Senate have passed, in all of which the concurrence of the House is respectfully asked.

Respectfully, &c.

JAS. E. PLATT,
Secretary of Senate.

The "bill for the relief of John Nardin," was read twice, and referred to the committee on public lands.

The "joint resolution relative to the claim of David Dixon," was read twice and referred to the committee on the judiciary.

The "bill to incorporate the Clinton institute," was read twice, and referred to the committee on banks and incorporations.

Mr. Peck, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to incorporate the

Detroit and Grand River plank road company, approved March 12, 1844," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Barbour, pursuant to previous notice, asked and obtained leave to introduce a "bill to authorize the Methodist Episcopal Church in Marshall, to convey certain real estate," which was read twice, referred to the committee of the whole, and placed on the general order.

The "joint resolution relative to the claim of Jacob Rhines," was read the third time and passed.

The House then took up titles 1 and 2, of the proposed revision, together with the amendments made in committee of the whole, and the question being on concurring in the amendments, those made in chapter one, were concurred in by the House.

The amendment to chapter two, striking out sections four, five, and six, were concurred in, and the question then being on concurring in the amendment adding the following section:

"SEC. —. The members of the legislature shall severally receive for their services, a compensation to be paid out of the public treasury; which compensation shall be three dollars per day, and no more, for the first forty days of any session of the legislature, and one dollar and fifty cents per day and no more, for any time the legislature may remain, or shall be in session after the expiration of forty days next succeeding the first Monday of January in each year."

Mr. Hazleton moved to amend the amendment, by striking out the word "three," before the word "dollars," which motion was lost by the following vote:

YEAS.

Mr. Blair,	Mr. Hazleton,	Mr. Parsons,	
Brotherson,	Jones,	Pierce,	
Chubb,	Leland,	Ransom,	
Edmunds,	Leach,	Rice,	
Giddings,	McDonald,	Sanborn,	14

NAYS.

Mr. Ames,	Mr. Hollister,	Mr. Scott,	
Andrews,	Kennedy,	Sprague,	
A. C. Baldwin,	T. Lewis,	Sweeney,	
C. Baldwin,	Moran,	Ten Eyck,	
Barbour,	Morse,	Thomas,	
Barrett,	Noble,	Wakeman,	

Davis,	O'Malley,	Walker,
Glen,	Ord,	Webster,
Graham,	Patterson,	Wing,
Groves,	Peck,	Speaker,
Hawley,		31

Mr. Hazleton then moved to amend the amendment by striking out all after the words "three dollars per day and no more," which motion did not prevail.

The question then recurring on concurring in the original amendment made in committee of the whole, proposing the additional section, it was decided in the negative by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Sweeney,
Andrews,	Kennedy,	Thomas,
C. Baldwin,	T. Lewis,	Wakeman,
Barbour,	Noble,	Walker,
Cole,	Ord,	Webster,
Davis,	Patterson,	Speaker,
Glen,		19

NAYS.

Mr. Barrett,	Mr. Hollister,	Mr. Peck,
Blair,	Jones,	Pierce,
Brotherson,	Leland,	Ransom,
Chubb,	Leach,	Rice,
Edmunds,	McDonald,	Sanborn,
Giddings,	Moran,	Scott,
Groves,	Morse,	Sprague,
Hawley,	O'Malley,	Wing,
Hazleton,	Parsons,	26

The amendments made in committee of the whole to chapters three and four were all concurred in.

The amendments to chapter five were all concurred in, except the amendment to the thirteenth section, which was non-concurred in.

Mr. Hawley moved to strike out the thirteenth section, and insert the following:

"Sec. 13. The inspectors, or one of them, shall then put to the person challenged, such questions as they may deem necessary, to test his right to vote at that poll."

Pending the question on which motion,

On motion of Mr. Groves,

The House adjourned.

Afternoon Session—two o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Cook, Dunham, Hand, W. Lewis and Palmer, were absent on leave, and Messrs. Chubb, Graham, Ord, Patterson, Scott, Ten Eyck, Thomas and Toll, absent without leave.

Mr. Sanborn asked and obtained leave of absence for Mr. Scott, on account of sickness.

Mr. Davis for Mr. A. C. Baldwin till Thursday.

The House then resumed the consideration of the proposed revision of the statutes, together with the amendments made in committee of the whole

The question being on the motion of Mr. Hawley to amend the thirteenth section, and a division of the question being called for, it was first taken on the striking out; it was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Sprague,	
Andrews,	T. Lewis,	Sweeney,	
A. C. Baldwin,	Moran,	Thomas,	
Barbour,	Morse,	Webster,	
Davis,	Noble,	Wing,	
Groves,	O'Malley,	Speaker,	
Hawley,	Peck,		20

NAYS.

Mr. C. Baldwin,	Mr. Hazleton,	Mr. Patterson,	
Barrett,	Jones,	Pierce,	
Blair,	Kennedy,	Ransom,	
Brotherson,	Leland,	Rice,	
Edmunds,	Leach,	Sanborn,	
Giddings,	McDonald,	Wakeman,	
Glen,	Parsons,	Walker,	21

Mr. Ames moved to strike out all after the word "oath," in the fourth line of section twelve, to the end of the second line in section sixteen, pending which,

On motion of Mr. Hawley, the fifteenth section was stricken out.

The question then recurring on the motion made by Mr. Ames, it was lost by the following vote:

YEAS.

Mr. Ames,	Mr. T. Lewis,	Mr. Sprague,
Andrews,	Moran,	Sweeney,
Barbour,	Noble,	Thomas,

Cole,	O'Malley,	Webster,	
Davis,	Patterson,	Wing,	
Groves,	Peck,	Speaker,	
Hollister,			19

NAYS.

Mr. C. Baldwin,	Mr. Hazelton,	Mr. Parsons,	
Barrett,	Jones,	Pierce,	
Blair,	Kennedy,	Ransom,	
Edmunds,	Leland,	Rice,	
Giddings,	Leach,	Sanborn,	
Glen,	McDonald,	Wakeman,	
Hawley,	Morse,	Walker,	21

Mr. Andrews moved to amend by striking out of the third section of chapter five, the word "may," in the first line, and insert "shall;" and by striking out all after the word "present," in the third line, to the word "shall," in the fourth line, and insert the words "the board," before the word "shall," which motion prevailed.

The amendments to the sixth and seventh chapters were concurred in; and on motion of Mr. Barrett, the tenth section of chapter seven was stricken out.

The amendments to chapter nine were concurred in; and on motion of Mr. Noble, the words "and certificates," were inserted in the third and fourth lines of section four of said chapter, after the word "statements," in each line.

The amendments to chapters ten and eleven were then concurred in.

The following message from the Senate was announced:

SENATE CHAMBER, }
February 3, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "joint resolution relative to the claim of Asher Bonham," which the Senate have adopted with an amendment, in which they respectfully ask the concurrence of the House.

Also, to transmit "a bill to vacate a portion of the plat of the village of Unadilla," which the Senate have passed, and "joint rules applicable to the revision," which the Senate have adopted, in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAMES E, PLATT,
Secretary of Senate.

The "bill to vacate a portion of the plat of the village of Unadilla," was read twice and referred to the committee on the judiciary.

The Senate amendment to the "joint resolution in relation to the claim of Asher Bonham," was concurred in, and the joint resolution as amended was ordered to be enrolled.

The "joint rules applicable to the revision," were read, and

On motion of Mr. Walker, laid on the table.

On motion of Mr. Jones, the House adjourned.

Wednesday, February 4, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

On calling the roll, Messrs. A. C. Baldwin, Cook, Hand, Noble and Palmer were absent on leave, and Messrs. Ames, Brotherson, Chubb, Hawley, Moran, Ord and Sanborn absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hazleton, of C. C. Hascall and one hundred and five other citizens of Genesee county for the incorporation of the Port Huron and Lake Michigan Railroad Company.

Also, of A. T. Crossman, and one hundred and twenty other citizens of Genesee county, for the same.

Also, of W. P. Crandall, and forty-eight other citizens of Genesee county, for the same; all which petitions were laid on the table.

By Mr. Barbour, of forty-nine citizens of Jackson county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Cole, of citizens of St. Joseph county, for the same. Same reference.

By Mr. Andrews, of sundry inhabitants of Van Buren county, asking a reduction of the salaries of public officers. Referred to the committee on ways and means.

By Mr. Rice, of A. S. Berry, and four hundred and thirty-one citizens of Lenawee county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Morse, remonstrance of citizens of Walker township, Kent county, against the organization of a new township. Referred to the committee on the organization of townships and counties.

By Mr. Scott, of H. Avery and other citizens of Clinton county, for the re-organization of certain townships. Referred to the committee on the organization of townships and counties.

By Mr. Toll, of T. Hill, and other citizens of St. Joseph county, for the re-organization of certain townships. Same reference.

REPORTS.

Mr. Dunham, from the committee on claims, to whom was referred the petition of John A. Stephenson, for relief, reported adverse to the prayer of the petition. The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Hawley, from the committee on banks and incorporations, to whom was referred the Senate "bill to incorporate the Clinton Institute," reported the same back with an amendment, and recommended its passage. The report was accepted, the bill referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Noble, from the committee on the judiciary, to whom was referred the proposed revision of the statutes, reported back to the House title V of said revision, with sundry amendments.

The report was accepted, the title and amendments referred to the committee of the whole, and placed on the general order, and the amendments ordered to be printed.

Mr. Noble, from the same committee, reported the following rules, applicable to the revision, which were read and adopted:

RULES APPLICABLE TO THE REVISION.

Rule . In passing upon and adopting the revision of the laws, each separate title shall pass to three several readings in each house agreeably to existing rules; the house in which the same shall originate being authorized to transmit it to the other house for similar action after the third reading, and the house to which the same is transmitted, is also authorized to return the same with amendments after the third reading without taking the vote on its final passage, and the same shall be ordered to be enrolled, and after the same shall have been enrolled and examined by the committee on enrolled bills of each house agreeably to joint rule No. 11, the same shall be reported a-

correctly enrolled by the committee to the proper house; and after it shall have been thus reported, the committee shall deposite the same with the Governor for examination subject to the control of the proper house.

Rule . After the several titles shall have been passed upon and adopted, agreeably to the provisions of the foregoing rules, the vote shall be taken on the final passage of the whole revision as one bill.

Rule . The committees on enrollment of the two houses shall make such arrangement for the enrolling of the proposed revision, that an equal portion thereof, as near as may be, shall be enrolled in each house.

On motion of Mr. Noble, the rules just adopted were ordered to be printed for the use of the House.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Sanborn asked and obtained leave of absence for Mr. Chubb, for the day.

Also, for Mr. Hazleton, for an indefinite period, on account of sickness in his family.

Mr. Hawley gave notice, that on some future day he should ask leave to introduce a bill to establish the county of Detroit, and for other purposes.

On motion of Mr. Walker,

Resolved, That hereafter, the morning session of this House shall commence at half past nine o'clock, and the afternoon session at half past two o'clock.

On motion of Mr. Peck,

The "bill to provide for the division of the township of Iosco, Livingston county," was taken from the table, placed on the general order, and referred to the committee of the whole.

The proposed revision of the statutes was then taken up, and titles 1 and 2 were severally ordered to be engrossed for a third reading, and were read the third time.

On motion of Mr. Hawley,

The House resolved itself into a committee of the whole on the proposed revision, Mr. Blair in the chair, and after a time spent thereon, the committee rose, and by their chairman, reported that they had had under consideration title III, on which they had made some progress, and asked leave to sit again.

Leave was granted.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled, the "joint resolution relative to the claim of Asher Bonham," and that the same was this day presented to the Governor for approval.

On motion of Mr. O'Malley, the House adjourned.

Afternoon Session.—Half past two o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. A. C. Baldwin, Chubb, Cook, Hand, Hazelton, Palmer and Scott, were absent on leave, and Messrs. Ord, Thomas and Toll, absent without leave.

On motion of Mr. Walker,

The House went into committee of the whole on the "bill to apportion anew the Representatives and Senators among the several counties and districts of this state," and after a time spent thereon, the committee rose, and by their chairman reported that they had made some progress thereon, and asked leave to sit again; leave was granted.

On motion of Mr. Leland,

The House adjourned.

Thursday, February 5, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

On calling the roll, Messrs. Hazleton, Palmer and Scott were absent on leave, and Messrs. Leland, Patterson and Sanborn, were absent without leave.

Mr. Giddings asked and obtained leave of absence for Mr. Scott, on account of sickness.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Morse, two several petitions of citizens of Kent county,

for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Brotherson, of J. P. C. Emmons, and other citizens of Washtenaw county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Wakeman, of Isaac N. Stage, for payment of damages sustained by Central Railroad,

Also, of Westley W. Laverty, for payment of damages on the same road; both of which petitions were referred to the committee on claims.

By Mr. Peck, of Almon Whipple and eighty-seven other citizens of Livingston county, for the sale of the public works, and for the suspension of all laws authorizing a tax for the payment of interest on the public debt, until such sale be effected. Referred to the select committee on that subject.

By Mr. Jones, of Joseph P. Hall, and thirty-eight others, for the appropriation of non-resident highway taxes upon a road leading from Charlotte, Eaton county, to Albion, Calhoun county. Referred to the committee on roads and bridges.

Mr. Dunham, from the committee on claims, to whom was referred the claim of James S. Clarke, reported a "joint resolution in relation to the claim of J. S. Clark," which was read twice, referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,
February 3, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill authorizing the auditor general to settle with, and allow to the county of Hillsdale certain moneys paid by said county on account of wolf bounties," and a "bill to provide for the sale of certain unsold state tax lands, and for other purposes," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,
Secretary of Senate.

The "bill to provide for the sale of certain unsold state tax lands,

and for other purposes," was read twice and referred to the committee on ways and means.

The "bill authorizing the auditor general to settle with and allow to the county of Hillsdale certain moneys paid by said county on account of wolf bounties," was read twice and referred to the committee on the judiciary.

Mr. Jones gave notice, that on some future day, he should ask leave to introduce a bill to incorporate the Vermontville academical association.

Mr. Hawley, pursuant to previous notice, asked and obtained leave to introduce a "bill to organize the county of Detroit, and for other purposes," which was read twice, referred to the committee of the whole, and ordered to be printed.

On motion of Mr. Noble,

The House resolved itself into a committee of the whole on the revision of the statutes, Mr. Blair in the chair, and after some time spent thereon, the committee rose, and by their chairman repor td tht they had had under consideration title III, of the revision, on which they had made some progress, and asked leave to sit again. Leave was granted.

Mr. Noble asked and obtained leave of absence for Mr. Patterson, for an indefinite period, on account of sickness.

On motion of Mr. Walker,

The House adjourned.

Afternoon Session—Half past two o'clock.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. A. C. Baldwin, Hazleton, Palmer, Patterson and Scott were absent on leave, and Messrs. Ames, Barbour, Brotherson, Chubb, W. Lewis, Sanborn and Ten Eyck, absent without leave.

On motion of Mr. Walker,

The House resolved itself into a committee of the whole on the "bill to apportion anew the Senators and Representatives among the several counties and districts of this state," Mr. Webster in the chair, and after a time spent thereon, the committee rose, and by their

chairman reported the bill back with an amendment, in which the concurrence of the House was asked.

Mr. Walker moved to amend the amendments reported by the committee, by striking out the words "in the county of Allegan, one;" also, the words "in the county of Ottawa, one," and insert "in the counties of Allegan and Ottowa, one;" also strike out the word "five," after the word "Lenawee," "four;" and a division of the question being called for, it was first taken on striking out "in the county of Allegan, one," and "in the county of Ottawa one;" and the motion decided in the negative.

The question was then taken on striking out of the amendment the word "five," after "Lenawee," and the motion prevailed.

The question then being on concurring in the amendments made in committee of the whole, they were non-concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Ord,	
Andrews,	Jones,	Peck,	
Blair,	T. Lewis,	Ransom,	
Chubb,	W. Lewis,	Scott,	
Giddings,	Moran,	Sprague,	
Glen,	Morse,	Toll,	
Groves,	O'Malley,	Speaker,	21

NAYS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Rice,	
C. Baldwin,	Hawley,	Sanborn,	
Barrett,	Kennedy,	Sweeney,	
Cole,	Leland,	Thomas,	
Cook,	Leach,	Wakeman,	
Davis,	McDonald,	Walker,	
Dunham,	Noble,	Webster,	
Edmunds,	Parsons,	Wing,	
Graham,	Pierce,		26

On motion of Mr. Barrett,

The bill was laid on the table.

On motion of Mr. Peck,

The House adjourned.

Friday, February 6, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. A. C. Baldwin, Cook, Hand, Hazleton, Palmer, Patterson, and Scott were absent on leave, and Messrs. Ames, Chubb, Groves, T. Lewis, Ord, Peck and Sanborn absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Cole, of George Buck, and others, relative to certain University lands. Referred to the committee on public lands.

By Mr. Davis, three several petitions of citizens of Oakland county, relative to certain University lands. Same reference.

By Mr. Pierce, of Dwight Kellogg, and thirty-five other citizens of Washteaw county, for the abolition of capital punishment. Referred to the committee on the judiciary.

Also, of Richard Peterson and fifty-five other citizens of Washtenaw county for the sale of the public works. Referred to the select committee on that subject.

By Mr. Hawley, two several petitions of citizens of Wayne county for the division of said county. Referred to the committee of the whole.

Mr. Cole from the committee on the state library made the following report:

Agreeably to a resolution of the House of Representatives, your committee have had under consideration the state and condition of said library, and report as follows:

The committee visited the library room, examined the cases and books therein, and found wanting a proper arrangement. Books of a dissimilar character promiscuously placed in the same case. Many books of a valuable kind were exposed for want of sufficient room in the cases. To ascertain the books belonging to the library, they made inquiry of the deputy Secretary of State, ex-officio Librarian of the State Library, who was unable to give the desired information. He had kept no account of the books lent out, except since last spring, and could not state what books had been lent out previous to that time.

The committee then proceeded to the library room, where they resorted for information to an old catalogue kept there, the date of which could not be ascertained; on examination of this catalogue, *(which was the only means of information,)* it was found there were many books missing, of which there was no account, and also there were some books in the library which were not mentioned in the catalogue.

The committee are of opinion there has been great negligence on the part of those persons entrusted with the library, and a want of system in keeping an account of books lent out. Not being able to state the number of volumes which have from time to time been placed in the library, they are unable to state the number missing. Believing a more perfect system should be adopted, and a more convenient arrangement made, to effect which, a complete and perfect catalogue of all the books to be found should be taken; and that requiring a considerable amount of time and labor, the committee would respectfully recommend the adoption of the accompanying joint resolutions:

The report was accepted, and the "joint resolutions relative to the state library," were read twice, referred to the committee of the whole and placed on the general order.

The following communication was received from the Executive:

EXECUTIVE OFFICE,
Detroit, February 5, 1846.

To the House of Representatives:

I have this day approved, signed, and deposited in the office of the Secretary of State, "an act to secure to Stephen J. Morse the right of pre-emption to certain school lands."

Also, a "joint resolution in relation to the claim of Asher Bonham."

ALPHEUS FELCH.

The following communication was received from the Attorney General, which was read, and

On motion of Mr. Walker,

Referred to the committee on the judiciary:

Hon. ISAAC E. CRARY, *Speaker &c.*

SIR:—In reply to the resolution adopted by the House of Representatives on the 29th ult., of which the following is a copy, viz:

"*Resolved*, That the Attorney General be requested to communi-

cate to this House what further legislation, if any, in his opinion is necessary to secure the rights of the state connected with the loan of a hundred thousand dollars to the Detroit and Pontiac Railroad Company, or to enable the state to convey the franchises of said company or a right to use the road to any individual or individuals, who may obtain an assignment of the lien of the state, or who might purchase the road upon a foreclosure of the mortgage on it held by the state."

I have the honor to say, that I have examined all the laws heretofore passed in relation to the loan of state stock to the Detroit and Pontiac Railroad Company, and my views as to the necesaity of further legislation, are herewith submitted.

The stock referred to was issued under the provisions of act No. 26, sess. laws 1838, and security taken upon the railroad as well as a lien upon the rights, privileges, and franchises of the company as secured by the act of incorporation. Under act No. 22, sess. laws 1842, the company was granted the privilege of discharging their liability or indebtedness to the state in the obligations of the state at any time within four years thereafter. The four years will expire on the eleventh instant. If the company pay the mortgage then no legislation will be necessary. If, however, the company fail to do so, then Alfred Williams, and such other persons as he may associate with him, have the privilege of purchasing the mortgage (see act No. 81, sess. laws 1844) at any time within six months after the expiration of the time limited for the company to pay in the bonds or other liabilities of the state upon the same terms granted to the company. Should Mr. Williams and his associates make the purchase and take an assignment of the mortgage no further legislation will be necessary to secure the rights of the state: but should they fail to make the purchase then it will become necessary to foreclose the mortgage. If the state become the purchasers some general provisions of law will be necessary, making this road subject to the laws applicable to the other public works of the state. To enable others to bid at the sale and thereby induce a fair competition among those wishing to purchase, a law in my opinion should be passed authorizing the reception of state liabilities from the purchaser, and providing in what manner and to what extent the purchaser will be entitled to use and

enjoy the rights, privileges and franchises, granted by the act of incorporation.

All of which is respectfully submitted,

HENRY N. WALKER,

Detroit, Feb. 4, 1846. *Attorney General.*

Mr. Barrett gave notice that on some future day he should ask leave to introduce a joint resolution allowing blind persons to pass over the state railroads free of charge.

Mr. Wakeman gave notice that on some future day he should ask leave to introduce a bill authorizing the supervisors of the townships of Leoni, Napoleon and Jackson, to re-assess certain taxes rejected by the Auditor General for the year 1839.

On motion of Mr. Walker,

The House went into committee of the whole on the proposed revision, Mr. Blair in the chair, and after a time spent thereon, the committee rose, and by their chairman reported title III back to the House with sundry amendments, in which the concurrence of the House was asked.

The amendments made by the committee to that portion of the title under the subdivisions of "the Governor," of "the Secretary of State," and of "the State Treasurer," were severally concurred in by the House.

The amendments made by the committee, to the subdivision of "the Auditor General," being under consideration,

Mr. Walker moved to amend the amendment to section twenty-five, by inserting after the words "one thousand," the words "two hundred," which motion was lost, and the original amendments concurred in.

The amendments to the subdivision of "the Attorney General," being under consideration,

On motion of Mr. Noble,

The following substitute for the whole subdivision, was adopted:

"Sec. 28. The Attorney General shall prosecute and defend all actions in all courts in which the state may be a party, and appear on the request of any state officer, in any case in which the state may be interested; he shall consult and advise with the several prosecuting attorneys, and submit at the commencement of each annual session of the legislature, a full report of his official business, including

an abstract of the annual reports of the several prosecuting attorneys; he shall notify the county treasurer of the proper county of any neglect of a prosecuting attorney to make his annual report; he shall keep a register of all his official proceedings, and deliver the same to his successor in office, and pay all moneys received by him on account of the state into the treasury; he shall give his opinion on all questions of law submitted to him by the legislature, or either branch thereof, or any state officer; and he shall receive an annual salary of hundred dollars, and taxable costs, but such taxable costs shall in no case be chargeable to state."

Mr. Peck moved to fill up the blank in the substitute, before the word "hundred," with the word "five" which motion was lost, by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Peck,	Mr. Toll,
Barbour,	Sweeney,	Walker,
T. Lewis,		7

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Pierce,
C. Baldwin,	Groves,	Ransom,
Barrett,	Hawley,	Rice,
Blair,	Kennedy,	Sanborn,
Brotherson,	Leland,	Scott,
Chubb,	Leach,	Sprague,
Cole,	W. Lewis,	Ten Eyck,
Cook,	McDonald,	Thomas,
Davis,	Moran,	Wakeman,
Dunham,	Morse,	Webster,
Edmunds,	Noble,	Wing,
Giddings,	O'Malley,	Speaker,
Glen,	Ord,	38

Mr. Walker moved to fill the blank with the word "four," which motion did not prevail.

On motion of Mr. Edmunds, the word "three" was inserted in the substitute.

The amendments to the subdivision of "official oaths and bonds of state officers," being under consideration, the amendment striking out section thirty-seven was non-concurred in, and the other amendments made by the committee to the subdivision were concurred in.

The amendments to the subdivision of "annual reports of state offi-

cers," of "board of state auditors," of "state library," and of "adjutant general," were severally concurred in.

On motion of Mr. Hawley,

Section forty-three, of chapter twelve, was amended by striking out the word "five" before "hundred,"

Mr. Hawley moved to insert the word "one" in the blank, which motion was lost; and,

On motion of Mr. Walker,

The blank was filled by inserting "four."

On motion of Mr. Sweeney, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Blair, Hand, Hazelton, Noble, Palmer and Patterson were absent on leave, and Messrs. Ames, Graham, Leach, T. Lewis, W. Lewis, O'Malley and Toll absent without leave.

Mr. Davis asked and obtained leave of absence for Mr. Sanborn, till Wednesday.

Mr. Wakeman for Mr. Kenredy for the same time.

Mr. Dunham for Mr. Noble till Monday.

The House then resumed the consideration of the proposed revision, and the question being on concurring in the amendments made by the committee of the whole, the amendment made to the subdivision of "unorganized counties," was concurred in.

The amendments made to chapter 14 in the sub-division "of the board of supervisors," being under consideration, the amendment to section 3 was concurred in.

The amendment to section 21, striking out the words "and if none be published in the county, then in some other newspaper published in the state," was concurred in, and the amendment inserting the words "if any," was non-concurred in.

On motion of Mr. Walker,

The words "if one be published in the county," were inserted in place of those stricken out of the section.

The question then being on concurring in the amendment striking out sections 24, 25 and 26, it was nonconcurred in by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Dunham,	Mr. Pierce,	
Barrett,	Hawley,	Ransom,	
Brotherson,	Kennedy,	Rice,	
Chubb,	Leland,	Sprague,	
Cole,	W. Lewis,	Thomas,	
Cook,	Morse,	Webster,	
Davis,	Parsons,	Wing,	21

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Sanborn,	
A. C. Baldwin,	Hollister,	Scott,	
Barbour,	Jones,	Sweeney,	
Blair,	T. Lewis,	Ten Eyck,	
Edmunds,	McDonald,	Wakeman,	
Giddings,	O'Malley,	Walker,	
Glen,	Ord,	Speaker,	
Groves,	Peck,		23

The amendment striking out the whole of the subdivision of "board of auditors for the county of Wayne," and the amendment to the subdivisions of "sheriffs," of "county surveyors," and of "notaries public," were severally concurred in.

Mr. Hand moved to amend section 113, by striking out of the third and fourth lines, the words "and of promissory notes," which motion prevailed.

On motion of Mr. Edmonds,

The words "the circuit court for the county may direct" in section nineteen, were stricken out, and the words "they may deem necessary," inserted.

On motion of Mr. Walker,

The words "in a summary manner," were stricken out of the first and second lines of section twenty-six.

On motion of Mr. A. C. Baldwin,

The words "one or more" were stricken out of the first line of section seventy-one, and "four" inserted.

On motion of Mr. Wakeman, the following proviso was added to section twenty-four of chapter fourteen:

"Provided, the party appealing shall give security for all costs which shall be adjudged against him by the court; said security to be approved by the county clerk."

The amendment striking out section twenty-four of chapter fifteen, was non-concurred in.

Title III of the proposed revision was then ordered to a third reading, and was read the third time.

On motion of Mr. Jones,

The House went into committee of the whole on the general order Mr. O'Malley in the chair, and after a time spent thereon, the committee rose, and by their chairman reported that they had under consideration a "bill to divide the township of Iosco," and a "bill to incorporate the Clinton Institute," which they reported back with amendments in which the concurrence of the House was asked, and a "joint resolution relative to the claim of David Van Arman," and a 'joint resolution relative to the claim of James S. Clark,' which they reported back without amendment.

The amendment to the "bill to incorporate the Clinton Institute," was concurred in, the amendment ordered to be engrossed, and the bill as amended, ordered to a third reading.

The amendment to the "bill to provide for the division of the township of Iosco, Livingston county," being a substitute for the bill, was concurred in, and the bill ordered to be engrossed and read the third time.

The "joint resolution in relation to the claim of James S. Clarke," was ordered to be engrossed for a third reading.

The "joint resolution relative to the claim of David Van Arman," was ordered to a third reading, the rule suspended, and the joint resolution read the third time and passed.

The following message was received from the Senate:

SENATE CHAMBER,
February 6, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "joint resolution relative to a right of way through the salt spring reservation, in the county of Macomb," which the Senate have adopted, a "bill to amend an act antitled an act to amend an act providing for the final adjustment of all unsettled claims growing out of the internal improvements of the state," and a "bill to equalize the valuation of property between the several counties, and to establish its minimum for purposes of taxation," which the Senate have passed, and in which they respectfully ask the concurrence of the House.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The "bill to amend an act entitled an act to amend an act providing for the final adjustment of all unsettled claims growing out of the internal improvements of the state," was read twice and referred to the committee on claims.

The "joint resolution relative to a right of way through the salt spring reservation, in the county of Macomb," was read twice and referred to the committee of the whole.

The "bill to equalize the valuation of property between the several counties, and to establish its minimum for purposes of taxation," was read twice and referred to the committee on ways and means.

On motion of Mr. Groves,

The rules were suspended, to enable him to offer the following resolution, which was adopted:

Resolved, That when this House adjourn, it will adjourn to meet at half past nine o'clock, on Monday morning.

On motion of Mr. Andrews, the House adjourned.

Monday, February 9, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Hazleton, Kennedy, and Sanborn were absent on leave, and Messrs. Ames, Andrews, Barbour, Barrett, Edmunds, Hawly, Hollister, Leland, Leach, W. Lewis, Palmer, Parsons, Pierce, Scott, Ten Eyck, Thomas and Wing absent without leave.

Mr. Peck asked and obtained leave of absence for Mr. Wing for the day.

Mr. Davis for Mr. Thomas and Mr. Scott, for an indefinite period on account of sickness.

Mr. Blair, for Mr. Barbour until Wednesday.

Mr. Chubb, for Mr. Edmunds and Mr. Parsons, until to-morrow, and for Mr. Pierce till Wednesday.

Mr. Groves for Mr. Hollister until Thursday.

The journal of Friday was read and approved.

PETITIONS PRESENTED.

By Mr. Cole, of the heirs and legatees of Seth Jaqua, late of St.

Joseph county, deceased, for the passage of an act legalizing the last will and testament of the said deceased. Referred to the committee on the judiciary.

By Mr. Davis, of Israel Rogers, of Oakland county, relative to certain university lands. Referred to the committee on public lands.

By Mr. Walker, of citizens of Macomb county, for the sale of the public works. Referred to the select committee on that subject.

Also, certain resolutions of citizens of Romeo and vicinity, relative to the same. Same reference.

Also, of citizens of Shiawassee county, for the incorporation of the Port Huron and Lake Michigan Railroad Company. Laid on the table.

By Mr. Brotherson, of Barnabas Case and fifty-one other inhabitants of the township of Manchester, Washtenaw county, relative to a certain road in said township. Referred to the committee on roads and bridges.

By Mr. Jones, two several petitions, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Blair, of Samuel Selden and eighty-four other citizens of Jackson county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

Also, of John Anderson and thirty-three other citizens of Albion, Calhoun county, relative to state prison labor. Referred to the committee on state prison.

By Mr. Graham, two several petitions of citizens of Hillsdale county, for the sale of the public works. Referred to the select committee on that subject.

By Mr. Andrews, remonstrance of citizens of Van Buren county, against the sale of the public works. Referred to the select committee on that subject.

By Mr. Patterson, petition of sundry citizens of Lenawee county, for the passage of a law by which all damages for flowing lands by mill dams shall be settled by appraisal. Referred to the committee on the judiciary.

By Mr. Sprague, of sundry citizens of Branch county, for the extension of the right of suffrage to colored citizens. Referred to the committee on the judiciary.

By Mr. Scott, two several petitions of citizens of Shiawassee county, for the construction of a coal or other road from Corunna to the mouth of Bad river. Referred to the committee on banks and incorporations.

Also of E. L. Ament and other citizens of Shiawassee county, for the incorporation of the Port Huron and Lake Michigan Railroad company. Laid on the table.

Also, resolutions adopted by the board of supervisors of Clinton county. Referred to the committee on ways and means.

By Mr. Hand, of sundry citizens of the townships of Monguagon and Ecorse, Wayne county, relative to the division of said county Referred to the committee of the whole.

Mr. Dunham, from the committee on claims, to whom was referred the Senate "bill to amend an act entitled an act providing for the final adjustment of all unsettled claims growing out of the internal improvements of the state," reported the same back without amendment, and recommended its passage.

The report was accepted, the bill referred to the committee of the whole, and placed on the general order.

The following messages were received from the Senate:

SENATE CHAMBER,
February 6, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the "joint resolution relative to the claim of Jacob Rhines," and to respectfully inform you that the Senate have non-concurred therein.

Also, to trsnsmit "a bill authorizing a settlement of the claim of W. Norman MacLeod," and a "bill explanatory of section 41, chapter 4, title 6, part 1, of the revised statutes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.

JAS. E. PLATT,
Secretary of Senate.

SENATE CHAMBER,
February 9, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the "bill to provide for the re-assessment of certain taxes in the townships of Ottawa and

Norton, in Ottawa county," and to respectfully inform you that the Senate have passed the same.

Also, to transmit a "joint resolution relative to the transmission of documents to A. Vattemare, of Paris," which the Senate have adopted, and to respectfully ask the concurrence of the House therein.

Respectfully, &c.,

J. E. PLATT,

Sec'y of Senate.

The "bill authorizing a settlement of the claim of W. Norman McLeod," was read twice and referred to the committee on claims.

The "bill explanatory of section forty-one, chapter four, title six, part first of the revised statutes," was read twice and referred to the committee on roads and bridges.

The "joint resolution relative to the transmission of documents to A. Vattemare, of Paris," was read twice and referred to the committee of the whole.

The "bill to provide for the re-assessment of certain taxes in the townships of Ottawa and Norton, in Ottawa county," was ordered to be enrolled.

Mr. Morse gave notice that on some future day he should ask leave to introduce a bill to incorporate the Grand Rapids Fountain Company.

Mr. Walker introduced a joint resolution of instructions to the board of Internal Improvement, and the rule being suspended, the resolution was read twice and referred to the committee of the whole.

Mr. Hand asked and obtained the unanimous consent of the House previous notice not having been given, to introduce a "bill to prevent innoculation with the small pox," which was read twice, referred to the committee of the whole, and placed on the general order.

The "bill to incorporate the Clinton Institute," was read the third time and passed by a two-thirds vote of all the members present, as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Glen,	Mr. Peck,
C. Baldwin,	Graham,	Ransom,
Blair,	Groves,	Sprague,
Brotherson,	Jones,	Sweeney,
Cole,	T. Lewis,	Toll,
Cook,	McDonald,	Wakeman,

Davis,	Moran,	Walker,	
Dunham,	Morse,	Webster,	
Giddings,	Ord.	Speaker,	27

NAYS.

Mr. Andrews,	Mr. Chubb,	Mr. Leland,	3

The "joint resolution relative to the claim of James S. Clark," was read the third time and passed.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Walker in the chair, and after a time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Cook, the House adjourned.

Afternoon Session—Half past two o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. A. C. Baldwin,

The House went into committee of the whole on the general order, Mr. Glen in the chair, and after a time spent thereon the committee rose, and by their chairman reported back to the House without amendment,

A "bill to provide for laying out and establishing certain state roads in the county of Hillsdale;"

A "bill to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844;"

A "bill to authorize the trustees of the Methodist Episcopal church in Marshall, to convey certain real estate;"

A "joint resolution relative to the state library;"

A "joint resolution relative to the right of way through the salt spring reservation in the county of Macomb;"

A "bill to amend an act entitled an act to amend an act providing for the final adjustment of all unsettled claims growing out of the internal improvements of the state;"

A "joint resolution of instruction to the board of internal improvement," and

A "bill to prevent inoculation with the small pox;" and also

A "joint resolution relative to the transmission of documents to Alexander Vattemare, of Paris," to which they had made an amendment, in which the concurrence of the House was asked.

The amendment to the last mentioned joint resolution was non-concurred in by the House, and the joint resolution ordered to a third reading.

The "bill to prevent innoculation with small pox," the "joint resolutions relative to the state library," the "joint resolution of instruction to the board of internal improvement," the "bill to provide for laying out and establishing a certain state road in the county of Hillsdale," and the "bill to authorize the trustees of the Methodist Episcopal church in Marshall to convey certain real estate," were severally ordered to be engrossed and read the third time,

Mr. Ames, from the committee on engrossment and enrollment, reported the above bills as correctly engrossed.

On motion of Mr. Peck,

The "bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company," was laid on the table.

The "bill to amend an act entitled an act to amend an act providing for the final adjustment of all unsettled claims growing out of the internal improvements of the state," and the "joint resolution relative to a right of way through the salt spring reservation in the county of Macomb," were severally ordered to a third reading.

The twenty-first rule was then suspended, that the bills might be taken up.

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly enrolled, the "bill to provide for the reassessment of certain unpaid taxes in the townships of Norton and Ottawa, in Ottawa county," and that the same was this day presented to the Governor for his approval.

Also, as correctly engrossed, the "bill to provide for the division of the township of Iosco, Livingston county."

The following bills and joint resolutions were severally read the third time and passed :

The "joint resolution relative to a right of way through the Salt Spring reservation in the county of Macomb;"

The "joint resolution relative to the transmission of documents to A. Vattemare, of Paris ;"

The "bill to amend an act entitled an act to amend an act providing

for the final adjustment of all unsettled claims growing out of the internal improvements of the state ;"

The "bill to provide for a division of the township of Iosco, Livingston county ;"

The "bill to provide for laying out and establishing certain state roads in the county of Hillsdale ;"

The "joint resolution relative to the state library ;"

The "joint resolution of instruction to the board of internal improvement ;" and

The "bill to prevent innoculation with the small pox."

On motion of Mr. Patterson,

The "bill to authorize the trustees of the Methodist Episcopal Church in Marshall, to convey certain real estate," was laid on the table.

Mr. Groves, by consent of the House, presented the petition of sundry citizens of the township of Royalton, Berrien county, for the re-assessment of certain taxes in said township. Referred to the committee on the organization of townships and counties.

On motion of Mr. Rice,

The House adjourned.

Tuesday, February 10, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Messrs. A. C. Baldwin, Barbour, Blair, Hand, Hollister, Kennedy, Parsons, Pierce, Sanborn, Scott and Thomas, were absent on leave, and Messrs. Leach, W. Lewis, Palmer, Patterson and Sprague, absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hazleton, the remonstrance of Peter Miller, and other citizens of the township of Flushing, in the county of Genesee, against attaching a part of said township to the township of Flint. Referred to the committee on the organization of townships and counties.

By Mr. Hawley, proceedings of a meeting of citizens of the townships of Nankin and Wayne, in the county of Wayne, held in rela-

tion to the proposed division of said county. Referred to the committee of the whole.

Mr. Leland, from the committee on roads and bridges, to whom was referred the Senate 'bill explanatory of section forty-one, chapter four, title six, part one of the revised statutes,' reported the same back without amendment, and recommended its passage.

The report was accepted, the bill referred to the committee of the whole, and placed on the general order.

Mr. Groves, from the committee on the organization of townships and counties, reported a "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, in the township of Royalton, in Berrien county," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Morse, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Grand Rapids Fountain Company," which was read twice, and referred to the committee on banks ane incorporations.

Mr. Walker moved to discharge the committee of the whole from the consideration of chapter twenty, of title five, of the proposed revision, which motion prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Jones,	Mr. Rice,	
C. Baldwin,	Leland,	Sweeney,	
Barrett,	Leach,	Ten Eyck,	
Cole,	T. Lewis,	Wakeman,	
Davis,	Morse,	Walker,	
Edmunds,	O'Malley,	Webster,	
Giddings,	Ord,	Wing,	
Hawley,	Peck,	Speaker,	
Hazleton,	Ransom,		26

NAYS.

Mr. A. C. Baldwin,	Mr. Glen,	Mr. Noble,	
Brotherson,	Groves,	Sprague,	
Chubb,	Moran,	Toll,	
Dunham,			10

Mr. Walker then moved to commit the chapter to a select committee, with instructions to strike out so much as relates to returning taxes to the Auditor General, and to make such amendments in the residue of the chapter as will make it conform to the first amendments.

Mr. Edmunds moved to amend the instructions by reporting a provision for the sale of the lands delinquent for taxes by the township

treasurer in each township, in February of each year, and for returning the lands so sold to the county treasurer, for redemption; pending which,

On motion of Mr. Jones,

The chapter was laid on the table.

Mr. Hazleton gave notice that on some future day he should ask leave to introduce a bill to lay out and establish a state road from a point on the national road in the county of Oakland, to the Flint river, in the county of Genesee.

On motion of Mr. Toll,

The House went into committee of the whole on the proposed revision, Mr. Walker in the chair, and after some time spent thereon, the committee rose, and by their chairman reported title 4 back with sundry amendments, and asked the concurrence of the House therein.

The amendments made by the committee to the title were severally concurred in, by subdivisions, by the House.

On motion of Mr. Cole,

The following additional section was inserted in chapter sixteen, between sections eleven and twelve:

"Sec. 12. Each commissioner of highways shall hold his office for three years, and until his successor shall be qualified, except when elected to fill a vacancy, in which case he shall hold during the unexpired portion of the regular term; provided, that when there shall have been no previous election for highway commissioners in any township, there shall be three such highway commissioners elected, one for one year, one for two years, and one for three years; and provided, also, that at the annual township election in each of the organized townships to be held in the year one thousand eight hundred and forty-seven, there shall also be elected three such highway commissioners, one for one year, one for two years, and one for three years."

On motion of Mr. Cole,

The words "three commissioners," in the third line of section eight, chapter sixteen, were stricken out, and "one commissioner" inserted.

On motion of Mr. C. Baldwin,

The same section was amended by inserting after the word "asses-

sors," in the third line, the words "if the qualified electors present at the opening of the meeting shall so determine by vote."

Mr. Andrews moved to strike out of the third line of the same section, the words "two assessors," together with the words just voted into the section on motion of Mr. C. Baldwin, which motion did not prevail.

Mr. Edmunds moved to add the following proviso to section ninety six of chapter sixteen:

Provided, That no compensation shall be allowed the members of the township board for auditing any accounts or claims against the township, nor the inspectors of elections or township meetings for services as such inspectors, nor to the constables for notifying the several officers elect of their election; and provided further, that the fees of the township clerk shall not exceed the sum of twenty-five dollars in any one year.

Which motion was lost by yeas and nays follows:

YEAS.

Mr. Edmunds,	Mr. Webster,	2

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Patterson,	
A. C. Baldwin,	Groves,	Peck,	
C. Baldwin,	Hawley,	Ransom,	
Barrett,	Hazleton,	Sweeney,	
Chubb,	Jones,	Ten Eyck,	
Cole,	Leach,	Toll,	
Cook,	McDonald,	Wakeman,	
Davis,	Moran,	Walker,	
Dunham,	Morse,	Wing,	
Giddings,	Noble,	Speaker,	
Glen,	Ord,		32

Mr. Sprague moved to amend section eight of chapter sixteen, by striking out of the third line the words "one commissioner of highways," and insert "so many commissioners of highways as are by law to be elected," which motion was lost.

Mr. Wakeman moved to amend section eighty-one, of chapter sixteen, by striking out of the third line, the words "supervisor or clerk of the township," and insert "township board," and make the corresponding amendment in the fourth line of the same section, which motion was decided in the negative.

On motion of Mr. Peck,

The section was amended by striking out all after the word "execute," in the second line, to the words "an instrument," in the fourth line, and by inserting after the word "writing," in the fourth line, the words "with one or more sufficient sureties, to be approved by the township board."

On motion of Mr. Walker,

Section eighty-two was amended, by striking out of the first line, the words "such supervisor or township clerk," and inserting "the township board," and by striking out the word "his," in the same line, and inserting "their."

Title 4 was then ordered to be engrossed for a third reading.

On motion of Mr. Davis, the House adjourned.

Afternoon Session.—Half past two o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.

On calling the roll, Messrs. A. C. Baldwin, Barbour, Hollister, Kennedy, Parsons, Pierce, Sanborn, Scott and Thomas, were absent on leave, and Messrs. Brotherson, Hawley, Leach, W. Lewis, Palmer and Ten Eyck, absent without leave.

On motion of Mr. Hazleton,

The House went into committee of the whole on the general order, Mr. Toll in the chair, and after a time spent thereon, the committee rose, and by their chairman reported back to the House, without amendment,

A "bill explanatory of section forty-one, chapter four, title six, part first of the revised statutes," and

A "bill to provide for the re-assessment of non-resident highway taxes, for 1845, in the township of Royalton, Berrien county, and

Also, a "bill to establish the county of Detroit, and for other purposes," to which they had made sundry amendments, in which the concurrence of the House was asked.

The "bill to provide for the re-assessment of non-resident highway taxes for 1845, in the township of Royalton, Berrien county," was ordered to be engrossed for a third reading.

The "bill explanatory of section forty-one, chapter four, title six, part first, of the revised statutes," was ordered to a third reading.

The amendments made by the committee of the whole to the "bill

to establish the county of Detroit, and for other purposes," were concurred in, and the bill as amended was ordered to be engrossed for a third reading.

On motion of Mr. Walker,

The apportionment bill was taken from the table, when he offered a substitute for the first section, and on his motion,

The bill and amendment were referred to the committee of the whole and made the special order for next Friday afternoon.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly engrossed,

Title IV of the proposed revision, and the title was then read the third time.

On motion of Mr. Walker,

Chapter 20 of title V of the proposed revision was taken from the table.

Mr. Walker then moved to commit the chapter to a select committee with instructions so to amend the same as to strike out all that relates to the return of taxes to the office of the Auditor General, and make such other modifications as may thereby become necessary in the details of the chapter.

On motion of Mr. Edmunds,

The instructions were amended by adding the following:

"And that said committee be further instructed to inquire into the expediency of providing for the sale by the township treasurer on the first Monday of February of each year, of all lands upon which the taxes shall not have been paid.

The question then recurring on the motion to commit with instructions, as amended, it prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Peck,	
C. Baldwin,	Hazleton,	Ransom,	
Barrett,	Jones,	Rice,	
Blair,	Leland,	Sprague,	
Chubb,	Leach,	Wakeman,	
Cole,	McDonald,	Walker,	
Davis,	Morse,	Webster,	
Edmunds,	O'Malley	Wing,	
Giddings,	Ord,	Speaker,	27

NAYS.

Mr. Cook,	Mr. T. Lewis,	Mr. Patterson,	
Dunham,	Noble,	Sweeney,	
Glen,			7

Davis,	Moran,	Walker,	
Dunham,	Morse,	Webster,	
Giddings,	Ord.	Speaker,	27

NAYS.

Mr. Andrews,	Mr. Chubb,	Mr. Leland,	3

The "joint resolution relative to the claim of James S. Clark," was read the third time and passed.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Walker in the chair, and after a time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Cook, the House adjourned.

Afternoon Session—Half past two o'clock.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. A. C. Baldwin,

The House went into committee of the whole on the general order, Mr. Glen in the chair, and after a time spent thereon the committee rose, and by their chairman reported back to the House without amendment,

A "bill to provide for laying out and establishing certain state roads in the county of Hillsdale;"

A "bill to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844;"

A "bill to authorize the trustees of the Methodist Episcopal church in Marshall, to convey certain real estate;"

A "joint resolution relative to the state library;"

A "joint resolution relative to the right of way through the salt spring reservation in the county of Macomb;"

A "bill to amend an act entitled an act to amend an act providing for the final adjustment of all unsettled claims growing out of the internal improvements of the state;"

A "joint resolution of instruction to the board of internal improvement," and

A "bill to prevent inoculation with the small pox;" and also

A "joint resolution relative to the transmission of documents to Alexander Vattemare, of Paris," to which they had made an amendment, in which the concurrence of the House was asked.

The amendment to the last mentioned joint resolution was non-concurred in by the House, and the joint resolution ordered to a third reading.

The "bill to prevent inoculation with small pox," the "joint resolutions relative to the state library," the "joint resolution of instruction to the board of internal improvement," the "bill to provide for laying out and establishing a certain state road in the county of Hillsdale," and the "bill to authorize the trustees of the Methodist Episcopal church in Marshall to convey certain real estate," were severally ordered to be engrossed and read the third time,

Mr. Ames, from the committee on engrossment and enrollment, reported the above bills as correctly engrossed.

On motion of Mr. Peck,

The "bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company," was laid on the table.

The "bill to amend an act entitled an act to amend an act providing for the final adjustment of all unsettled claims growing out of the internal improvements of the state," and the "joint resolution relative to a right of way through the salt spring reservation in the county of Macomb," were severally ordered to a third reading.

The twenty-first rule was then suspended, that the bills might be taken up.

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly enrolled, the "bill to provide for the reassessment of certain unpaid taxes in the townships of Norton and Ottawa, in Ottawa county," and that the same was this day presented to the Governor for his approval.

Also, as correctly engrossed, the "bill to provide for the division of the township of Iosco, Livingston county."

The following bills and joint resolutions were severally read the third time and passed :

The "joint resolution relative to a right of way through the Salt Spring reservation in the county of Macomb;"

The "joint resolution relative to the transmission of documents to A. Vattemare, of Paris;"

The "bill to amend an act entitled an act to amend an act providing

for the final adjustment of all unsettled claims growing out of the internal improvements of the state ;"

The "bill to provide for a division of the township of Iosco, Livingston county ;"

The "bill to provide for laying out and establishing certain state roads in the county of Hillsdale ;"

The "joint resolution relative to the state library ;"

The "joint resolution of instruction to the board of internal improvement ;" and

The "bill to prevent innoculation with the small pox."

On motion of Mr. Patterson,

The "bill to authorize the trustees of the Methodist Episcopal Church in Marshall, to convey certain real estate," was laid on the table.

Mr. Groves, by consent of the House, presented the petition of sundry citizens of the township of Royalton, Berrien county, for the re-assessment of certain taxes in said township. Referred to the committee on the organization of townships and counties.

On motion of Mr. Rice,

The House adjourned.

Tuesday, February 10, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Messrs. A. C. Baldwin, Barbour, Blair, Hand, Hollister, Kennedy, Parsons, Pierce, Sanborn, Scott and Thomas, were absent on leave, and Messrs. Leach, W. Lewis, Palmer, Patterson and Sprague, absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hazleton, the remonstrance of Peter Miller, and other citizens of the township of Flushing, in the county of Genesee, against attaching a part of said township to the township of Flint. Referred to the committee on the organization of townships and counties.

By Mr. Hawley, proceedings of a meeting of citizens of the townships of Nankin and Wayne, in the county of Wayne, held in rela-

tion to the proposed division of said county. Referred to the committee of the whole.

Mr. Leland, from the committee on roads and bridges, to whom was referred the Senate 'bill explanatory of section forty-one, chapter four, title six, part one of the revised statutes,' reported the same back without amendment, and recommended its passage.

The report was accepted, the bill referred to the committee of the whole, and placed on the general order.

Mr. Groves, from the committee on the organization of townships and counties, reported a "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, in the township of Royalton, in Berrien county," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Morse, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Grand Rapids Fountain Company," which was read twice, and referred to the committee on banks ane incorporations.

Mr. Walker moved to discharge the committee of the whole from the consideration of chapter twenty, of title five, of the proposed revision, which motion prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Jones,	Mr. Rice,	
C. Baldwin,	Leland,	Sweeney,	
Barrett,	Leach,	Ten Eyck,	
Cole,	T. Lewis,	Wakeman,	
Davis,	Morse,	Walker,	
Edmunds,	O'Malley,	Webster,	
Giddings,	Ord,	Wing,	
Hawley,	Peck,	Speaker,	
Hazleton,	Ransom,		26

NAYS.

Mr. A. C. Baldwin,	Mr. Glen,	Mr. Noble,	
Brotherson,	Groves,	Sprague,	
Chubb,	Moran,	Toll,	
Dunham,			10

Mr. Walker then moved to commit the chapter to a select committee, with instructions to strike out so much as relates to returning taxes to the Auditor General, and to make such amendments in the residue of the chapter as will make it conform to the first amendments.

Mr. Edmunds moved to amend the instructions by reporting a provision for the sale of the lands delinquent for taxes by the township

the St. Joseph river, in the county of St. Joseph," which the Senate have passed, and in which they respectfully ask the concurrence of the House.

Your obedient servant,

JAMES E. PLATT,

Secretary of Senate.

The "bill to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river, in the county of St. Joseph," was read twice, when,

Mr. Toll moved a suspension of the rules, that the bill might now be read the third time, which motion was lost,

And the bill was referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,
February 11, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "joint resolution of instruction to the Board of Internal Improvement," and to respectfully inform you that the Senate have concurred therein.

Also to return the "joint resolution relative to the state library," with a substitute therefor, which the Senate have adopted, and to respectfully ask the concurrence of the House therein.

Respectfully, &c.

JAS. E. PLATT,

Secretary of Senate.

The "joint resolution of instruction to the Board of Internal Improvement," was ordered to be enrolled.

The Senate amendment to the "joint resolution relative to the state library," being a substitute therefor, was non-concurred in.

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly enrolled, the "joint resolution of instructions to the Board of Internal Improvement," and that the same was this day presented to the Governor for his approval.

On motion of Mr. Rice, the House adjourned.

Thursday, February 12, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

On calling the roll, Messrs. A. C. Baldwin, Noble, Scott and Thomas, were absent on leave, and Messrs. Ames and Toll, absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hazelton, of Enos Goodrich and one hundred and five other citizens of Genesee county, relative to a certain state road; referred to the committee on roads and bridges.

By Mr. Chubb, of S. W. Foster, against the passage of any act to authorize the flowing of lands; referred to the committee on the judiciary.

By Mr. Pierce, three several petitions of citizens of Washtenaw county, for the sale of the public works; referred to the select committee on that subject.

By Mr. Rice, of C. R. Watson, and sixty-eight other citizens of the village of Adrian, for an amendment to the charter of said village; referred to the committee on banks and incorporations.

By Mr. Peck, of William, Christian, and Nancy Bridelman, for authority to convey certain real estate; referred to the committee on the judiciary.

By Mr. Hawley, of T. Wilder and eighty others, for a division of Wayne county; laid on the table.

Also, of sundry citizens of Wayne county, for a change in the name of a certain township in said county; referred to the committee on the organization of townships and counties.

By Mr. Edmunds, of one hundred citizens of Washtenaw county, for the repeal or modification of the laws relating to the sale of spirituous liquors; referred to the committee on the judiciary.

Also, of one hundred and thirty citizens of Washtenaw county, for the abolition of the criminal court so far as relates to that county; same reference.

By Mr. Leach, the preamble and resolutions of a meeting of tax

payers of Macomb and Oakland counties, relative to the sale of the public works; referred to the select committee on that subject.

By Mr. Toll, of Wm. H. Cross and other citizens of Leonidas, in St. Joseph county, for the sale of the public rail-roads; same reference.

By Mr. Walker, of sundry tax payers of Macomb county, for the sale of the public works; same reference.

Mr. Hawley, from the committee on banks and incorporations, reported a "bill to incorporate the Corunna and Northampton turnpike company," which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. Rice, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to incorporate the village of Adrian," which was read twice, referred to the committee of the whole and placed on the general order.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole on the proposed revision, Mr. Peck in the chair, and after a time spent thereon the committee rose, and by their chairman reported back to the House title VII of the revision, with sundry amendments, in which the concurrence of the House was asked.

The amendment made by the committee, striking out chapter thirty, and the amendments made in chapter thirty-one, were severally concurred in.

On motion of Mr. Noble,

Chapter thirty-one was amended by striking out section one, and the word "said" in the first line of section two, and the words "used as" in the third line of the same section, and inserting "the" in place thereof; also, by striking out all in the section after the word "standards" in the third line.

On motion of Mr. Sweeney,

Section twenty, of the same chapter, was amended by striking out "or" in the first line and inserting after "buckwheat," the words "clover seed," and insert the same word after the word "wheat" in the third line.

Mr. Brotherson moved to strike out all after the word "barley," in the fifth line of the same section, which motion was lost.

On motion of Mr. Edmunds,

The word "six" after "forty," in the fifth line of the same section was stricken out.

On motion of Mr. Cole,

The word "two" was inserted where "six" was stricken out.

Mr. Walker moved to add the words "and twenty-eight pounds for a bushel of dried apples and dried peaches," to the same section.

Mr. Patterson moved to amend the motion by striking out therefrom the words "twenty-eight," and inserting "twenty-three," which motion was lost, and the original motion was adopted.

On motion of Mr. Walker,

The words "dried apples or dried peaches," were inserted after the words "clover seed," in the first line of the same section.

Mr. Noble moved to amend section six, of chapter thirty-two, by striking out the words "at sight, or" in the first line, which motion was lost.

The amendments made in committee of the whole to chapter thirty-three were severally concurred in by the House.

Mr. Walker moved to amend section three of chapter thirty-four, by striking out all after "interest," in the fourth line, and to insert the word "all" before "cases" in line three, and strike out after the word "cases" the words "money loaned."

A division of the question being called for, it was first taken on striking out the words "of money loaned," and inserting the word "all" before cases, it was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Glen,	Mr. Peck,	
C. Baldwin,	Graham,	Rice,	
Barbour,	Hawley,	Sanborn,	
Barrett,	Jones,	Ten Eyck,	
Blair,	Leach,	Walker,	
Chubb,	McDonald,	Wing,	
Edmunds,	Ord,		20

NAYS.

Mr. Cole,	Mr. Leland,	Mr. Pierce,	
Cook,	W. Lewis,	Ransom,	
Davis,	Morse,	Sprague,	
Dunham,	Noble,	Sweeney,	
Giddings,	O'Malley,	Wakeman,	
Hazelton,	Palmer,	Webster,	
Hollister,	Parsons,	Speaker,	
Kennedy,	Patterson,		24

The question was then taken on the remaining part of the proposition, and lost as follows:

YEAS.

Mr Andrews,	Mr. Barrett,	Mr. Peck,	
Barbour,	Patterson,	Walker,	6

NAYS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Palmer,	
Blair,	Hazelton,	Parsons,	
Brotherson,	Hollister,	Pierce,	
Chubb,	Jones,	Ransom,	
Cole,	Kennedy,	Rice,	
Cook,	Leland,	Sanborn,	
Davis,	Leach,	Sprague,	
Dunham,	W. Lewis,	Sweeney,	
Edmunds,	McDonald,	Ten Eyck,	
Giddings,	Morse,	Wakeman,	
Glen,	Noble,	Webster,	
Graham,	O'Malley,	Wing,	
Groves,	Ord,	Speaker,	39

Mr. Sanborn moved to strike out all in the section after the word "time," which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr, Ord,	
C. Baldwin,	Hazleton,	Parsons,	
Blair,	Jones,	Patterson,	
Brotherson,	Leland	Pierce,	
Chubb,	Leach,	Sanborn,	
Cook,	W. Lewis,	Webster,	
Edmunds,	McDonald,	Speaker,	
Graham,			22

NAYS.

Mr. Barbour,	Mr. Hollister,	Mr. Peck,	
Barrett,	Kennedy,	Ransom,	
Cole,	T. Lewis,	Sprague,	
Davis,	Moran,	Sweeney,	
Dunham,	Morse,	Ten Eyck,	
Giddings,	Noble,	Wakeman,	
Glen,	O'Malley,	Walker,	
Groves,	Palmer,	Wing,	24

Mr. Pierce moved to strike out of the first line of the section, the words "and no more," which motion was lost.

On motion of Mr. Peck, the title was committed to a select committee with instructions to add, under the head of chapter thirty, certain provisions relative to the quantity of flour, pork, fish, &c. to be ed as a barrel.

The Speaker appointed as such select committee Messrs. Peck, Cole and Brotherson.

Mr. Noble, from the committee on the judiciary reported back to the House, title VIII, of the proposed revision, with sundry amendments thereto, and the title and amendments were referred to the committee of the whole and placed on the general order.

Also reported back with an amendment, the Senate "bill to authorize the Auditor General to settle with and allow to the county of Hillsdale, certain moneys paid by said county on account of wolf bounties," and the bill was referred to the committee of the whole, and placed on the general order.

On motion of Mr. Glen, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The following message was received from the Senate:

SENATE CHAMBER,
February 12, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit "a bill to provide for the erection of county buildings in the county of Livingston,' and a "bill to incorporate the Adrian Lyceum and Benevolent Association," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
J. E. PLATT,
Sec'y of Senate.

The "bill to provide for the erection of county buildings in the county of Livingston," was read twice, referred to the committee of the whole, and placed on the general order.

The "bill to incorporate the Adrian Lyceum and Benevolent Association," was read twice and referred to the committee on banks and incorporations.

Mr. Dunham asked and obtained leave of absence for Mr. Ames for the day.

The House then went into committee of the whole on the general order, Mr. Hazelton in the chair, and after a time spent thereon, the

committee rose, and by their chairman reported back to the House without amendment, the

"Bill to authorize William H. Cross and Seth C. Hanchett to erect a dam across the St. Joseph river, in the county of St. Joseph:"

A "bill authorizing the Auditor General to settle with and allow to the county of Hillsdale certain moneys paid by said county on account of wolf bounties:" and

A "bill to provide for the erection of public buildings in the county of Livingston:" and also

A "bill to amend an act entitled an act to incorporate the village of Adrian."

To which they had made an amendment, in which the concurrence of the House was asked.

The "bill to authorize William H. Cross, and Seth C. Hanchett to erect a dam across the St. Joseph river, in the county of St. Joseph," and

The "bill authorizing the Auditor General to settle with, and allow to the county of Hillsdale certain moneys paid by said county on account of wolf bounties," were severally ordered to a third reading.

The amendment to the "bill to amend an act entitled an act to incorporate the village of Adrian," was concurred in, and the bill was ordered to an engrossment and third reading, by the following vote:

YEAS.

Mr. Barbour,	Mr. Hollister,	Mr. Pierce,
Barrett	Jones,	Ransom,
Blair,	Kennedy,	Rice,
Brotherson,	Leland,	Sanborn,
Chubb,	Leach,	Sprague,
Cole,	W. Lewis,	Sweeney,
Davis,	McDonald,	Ten Eyck,
Dunham,	Morse,	Toll,
Edmunds,	Ord,	Wakeman,
Giddings,	Palmer,	Walker,
Glen,	Parsons,	Webster,
Groves,	Patterson,	Wing,
Hawley,	Peck,	Speaker,
Hazelton,		40

NAYS.

Mr. C. Baldwin, 1

On motion of Mr. Peck,

The "bill to provide for the erection of public buildings in the county of Livingston," was laid on the table.

On motion of Mr. Patterson,

The House went into committee of the whole on title VIII of the proposed revision, Mr. Hazleton in the chair, and after some time spent thereon, the committee rose, and by their chairman reported the title back to the House with sundry amendments, in which the concurrence of of the House was asked.

The amendments to chapter thirty-five were concurred in.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly engrossed the "bill to amend an act entitled an act to incorporate the village of Adrian."

Mr. Kennedy moved an adjournment, which was lost.

The amendment made in committee of the whole to chapter thirty-six, being a substitute for the whole chapter, being under consideration, it was

On motion of Mr. Patterson,

Amended by inserting in the third line, after the word "county," the words "is, or," and the amendment, as amended, was concurred in by yeas and nays as follows :

YEAS.

Mr. Andrews,	Mr. Glen,	Mr. Ord,	
C. Baldwin	Graham,	Palmer,	
Barbour,	Hawley,	Patterson,	
Barrett,	Hazelton,	Ransom,	
Blair,	Hollister,	Rice,	
Chubb,	Jones,	Sprague,	
Cole,	Leland,	Sweeney,	
Cook,	Leach,	Wakeman,	
Davis,	W Lewis,	Webster,	
Dunham,	McDonald,	Speaker	
Giddings,	Noble,		32

NAYS.

Mr. Edmunds,	Mr. Peck,	Mr. Toll,	
Kennedy,	Pierce,	Walker,	
Morse,	Sanborn,	Wing,	
Parsons,			10

Title VIII was then ordered to an engrossment, and third reading.

On motion of Mr. Sweeney,

The House adjourned.

Friday, February 13, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Hand, Scott and Thomas were absent on leave, and Messrs. Andrews, Brotherson, Leach, W. Lewis, Patterson, Peck and Toll were absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Patterson until Tuesday.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hawley, of Francis Marshall and other citizens of Wayne county, for a division of said county. Laid on the table.

By Mr. Ten Eyck, two several petitions of citizens of Detroit for the sale of the public works. Referred to the select committee on that subject.

REPORTS.

Mr. Hawley, from the committee on banks and incorporations, to whom was referred the "bill to incorporate the Grand Rapids Fountain Company," reported the same back with an amendment, striking out section seven.

The report was accepted, the bill and amendment referred to the committee of the whole, placed on the general order, and ordered to be printed.

Mr. T. Lewis, from the committee on the organization of townships and counties, reported a "bill to repeal the charter of the village of Dearbornville," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Noble, from the committee on the judiciary, reported back to the House title IX of the proposed revision without amendment, and the title was referred to the committee of the whole and placed on the general order.

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Detroit, February 12, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the

Secretary of State, a "joint resolution of instruction to the board of internal improvement."

ALPHEUS FELCH.

On motion of Mr. Edmunds, the following was adopted:

Whereas, It appears from the reports of the commissioners of internal improvement, that there was expended during the year 1844, for the construction of new cars, the sum of $19,976 46; and for the same purpose during the year 1845, the sum of $26,217 87, which sums combined fall only $680 67 short of the whole amount of cars now on hand as per inventory in said report; therefore

Resolved, That the commissioner of internal improvement be, and he is hereby directed to report to this House the number and value of cars on hand at the commencement of the year 1844; the amount expended for repairing the cars since that time, and if the value of said cars, at the commencement of the year 1844, shall be found to exceed the said sum of $680 67 he is further required to report what disposition has been made of such excess.

The Senate "bill authorizing the Auditor General to settle with and allow to the county of Hillsdale certain moneys paid by said county on account of wolf bounties," was read the third time, when

On motion of Mr. Noble, and by the unanimous consent of the House the bill was amended by inserting at the end of the first section, the words "and of forwarding the same to the Auditor General."

The bill was then passed.

The Senate "bill to authorize William H. Cross, and Seth C. Hanchett to erect a dam across the St. Joseph river in the county of St. Joseph," was read the third time and passed.

The "bill to amend an act entitled "an act to incorporate the village of Adrian," was read the third time and passed by a unanimous vote, as follows:

YEAS.

Mr. Andrews,	Mr. Hollister,	Mr. Parsons,
A. C. Baldwin,	Jones,	Peck,
C. Baldwin,	Kennedy,	Pierce,
Barbour,	Leland,	Ransom,
Barrett,	Leach,	Rice,
Blair,	T. Lewis,	Sanborn,
Chubb,	W. Lewis,	Sprague,
Cole,	McDonald,	Sweeney,

22

Cook,	Moran,	Ten Eyck,	
Davis,	Morse,	Wakeman,	
Giddings,	Noble,	Walker,	
Graham,	O'Malley,	Webster,	
Groves,	Ord,	Wing,	
Hawley,	Palmer,	Speaker,	
Hazelton,			43

NAYS.

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The House then resolved itself into a committee of the whole on the proposed revision, Mr. Groves in the chair, and after a time spent thereon the committee rose and by their chairman reported that they had had under consideration title IX of the revsion on which they had made some progress, and asked and obtained leave to sit again.

Mr. Ord from the committee on engrossment and enrollment, reported as correctly engrossed, title VIII of the proposed revision, which was read the third time.

On motion of Mr. Rice, the House adjourned.

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Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Barbour,

The House resolved itself into a committee of the whole on the special order for the afternoon, being the bill to apportion anew the senators and representatives among the several counties and districts of this state," Mr. Edmunds in the chair, and after a short time spent thereon, the committee rose and by their chairman reported the bill back with an amendment, in which the concurrence of the House was asked.

The amendment being a substitute for the first section, was concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. O'Malley,
Andrews,	Groves,	Ord,
C. Baldwin,	Hand,	Palmer,
A. C. Baldwin,	Hawley,	Parsons,
Barbour,	Hazleton,	Peck,
Blair,	Hollister,	Ransom,
Brotherson,	Jones,	Rice,
Chubb,	Leland	Sanborn,

Cole,	Leach,	Sprague,	
Cook,	T. Lewis,	Sweeney,	
Davis,	W. Lewis,	Ten Eyck,	
Dunham,	McDonald,	Toll,	
Edmunds,	Moran,	Walker,	
Giddings,	Morse,	Wing,	
Glen,	Noble,	Speaker,	45

NAYS.

Mr. Barrett,	Mr. Pierce,	Mr. Webster,	
Kennedy,	Wakeman,		5

Mr. Walker moved to recommit the bill to the select committee on apportionment, with instructions to so amend the second section as to make it conform constitutionally with the first section.

Mr. Edmunds moved to amend the instructions by adding thereto the following, which motion was lost:

Also, to divide such of the counties as are entitled to more than one Representative into as many districts as such county has Representatives, so that each district shall elect one Representative.

The original motion was then decided in the affirmative.

On motion of Mr. Hazleton,

The House went into committee of the whole on the proposed revision, Mr. Groves in the chair, and after some time spent thereon, the committee rose, and by their chairman reported back title IX, with sundry amendments, in which the concurrence of the House was asked.

The amendments made to chapter thirty-seven, thirty-eight and thirty-nine, were severally concurred in.

The amendment to chapter forty was non-concurred in.

On motion of Mr. Noble,

Section two was amended by striking out of the third line, the words 'and there,' and inserting 'to,' and also, by striking out the word 'to' in the first line, and inserting 'who.'

Mr. Noble moved to amend section one by inserting in the first line, after the word 'horses,' the words 'except trotting or pacing ponies on the ice."

Mr. Groves moved to amend the motion, by inserting after 'ice,' the words 'or prairies,' which motion was lost,

And the question recurring on the original motion, it was decided in the negative.

Mr. Noble moved to amend the first line of the same section, by striking out the words 'or pacing,' which motion was lost.

Mr. Peck moved to strike out chapter forty, which motion was lost.

Mr. Webster moved to amend chapter forty-one, by striking out sections twenty-seven and twenty-eight, which motion did not prevail.

The amendment to chapter forty-two was concurred in.

On motion of Mr. Noble,

Section ten of chapter forty-two, was amended by inserting after the word "executed," in the first line, the words "by any officer to whom it is delivered."

Mr. Sweeney moved to amend section one of chapter forty-three, by inserting the words "or be present," after "entertainment," in the third line, which motion was lost,

On motion of Mr. Kennedy.

Section six was amended by adding thereto the words "or by imprisonment in the county jail, not exceeding thirty days."

The first amendment to chapter forty-six was non-concurred in, and the second amendment was concurred in. The amendments to chapter forty-seven were concurred in.

On motion of Mr. Walker,

Section four, of chapter forty-nine, was amended by striking out the word "law," in the third line, and inserting "any such order."

Mr. Wakeman moved to amend section six, by striking out the word "two," before "dollars," in the fourth line, and inserting 'one,' which motion was lost.

The first amendment to chapter fifty-one, striking out section nine, was non-concurred in, and the second amendment was concurred in.

The title was then ordered to an engrossment and third reading.

On motion of Mr. Davis,

The House adjourned.

Saturday, February 14, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. A. C. Baldwin, Blair, Hand, Patterson Scott and Thomas, were absent on leave, and Messrs. Andrews, Brotherson, Chubb, Giddings, Leach and Ten Eyck, were absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Chubb, until Monday next.

Mr. Rice, for Mr. Ten Eyck for an indefinite time, on account of sickness.

Mr. Groves for Mr. Moran till Monday.

Mr. Ransom, for Mr. Giddings, till Thursday.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Rice, of Isaac A. Calvin and one hundred and forty-eight other citizens of Lenawee county, for the sale of the public works; referred to the select committee on that subject.

By Mr. Hazelton, of James Ferguson and other citizens of township nine, north of range five east, for the organization of said township; referred to the committee on the organization of townships and counties.

By Mr. Walker, of citizens of St. Clair and Macomb counties, for the repeal of the law appropriating non-resident highway taxes upon the Northern wagon road; referred to the committee on roads and bridges.

By Mr. W. Lewis, of Henry H. Booth and sixty-four other citizens of the village of Allegan, relative to the repairs of the streets of said village. Referred to the committee on banks and incorporations.

REPORTS.

Mr. Dunham from the committee on claims made the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on claims to whom was referred the petitions of Isaac N. Stages, Porter Kibbee and Wm. Beers and others, for claims

Mr. Noble moved to amend the first line of the same section, by striking out the words 'or pacing,' which motion was lost.

Mr. Peck moved to strike out chapter forty, which motion was lost.

Mr. Webster moved to amend chapter forty-one, by striking out sections twenty-seven and twenty-eight, which motion did not prevail.

The amendment to chapter forty-two was concurred in.

On motion of Mr. Noble,

Section ten of chapter forty-two, was amended by inserting after the word "executed," in the first line, the words "by any officer to whom it is delivered."

Mr. Sweeney moved to amend section one of chapter forty-three, by inserting the words "or be present," after "entertainment," in the third line, which motion was lost,

On motion of Mr. Kennedy.

Section six was amended by adding thereto the words "or by imprisonment in the county jail, not exceeding thirty days."

The first amendment to chapter forty-six was non-concurred in, and the second amendment was concurred in. The amendments to chapter forty-seven were concurred in.

On motion of Mr. Walker,

Section four, of chapter forty-nine, was amended by striking out the word "law," in the third line, and inserting "any such order."

Mr. Wakeman moved to amend section six, by striking out the word "two," before "dollars," in the fourth line, and inserting 'one,' which motion was lost.

The first amendment to chapter fifty-one, striking out section nine, was non-concurred in, and the second amendment was concurred in.

The title was then ordered to an engrossment and third reading.

On motion of Mr. Davis,

The House adjourned,

Saturday, February 14, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. A. C. Baldwin, Blair, Hand, Patterson Scott and Thomas, were absent on leave, and Messrs. Andrews, Brotherson, Chubb, Giddings, Leach and Ten Eyck, were absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Chubb, until Monday next.

Mr. Rice, for Mr. Ten Eyck for an indefinite time, on account of sickness.

Mr. Groves for Mr. Moran till Monday.

Mr. Ransom, for Mr. Giddings, till Thursday.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Rice, of Isaac A. Calvin and one hundred and forty-eight other citizens of Lenawee county, for the sale of the public works; referred to the select committee on that subject.

By Mr. Hazelton, of James Ferguson and other citizens of township nine, north of range five east, for the organization of said township; referred to the committee on the organization of townships and counties.

By Mr. Walker, of citizens of St. Clair and Macomb counties, for the repeal of the law appropriating non-resident highway taxes upon the Northern wagon road; referred to the committee on roads and bridges.

By Mr. W. Lewis, of Henry H. Booth and sixty-four other citizens of the village of Allegan, relative to the repairs of the streets of said village. Referred to the committee on banks and incorporations.

REPORTS.

Mr. Dunham from the committee on claims made the following report, which was accepted and the committee discharged from the further consideration of the subject:

The committee on claims to whom was referred the petitions of Isaac N. Stages, Porter Kibbee and Wm. Beers and others, for claims

growing out of our internal improvement system, have had the same under consideration, and the committee report that in their opinion no further legislation is necessary, inasmuch as there is a board organized by law, whose special duties are to hear and determine all such claims. The committee ask to be discharged from the further consideration of said petitions.

On motion of Mr. Dunham the claimants had leave to withdraw their papers.

Mr. Hawley from the committee on banks and incorporations, to whom was referred the Senate "bill to incorporate the Adrian Lyceum and Benevolent Association," reported the same back without amendment, and recommended its passage.

The report was accepted, the bill referred to the committee of the whole, and placed on the general order.

Mr. Noble from the committee on the judiciary, reported back to the House, title VI of the proposed revision, with sundry amendments.

The title and amendments were referred to the committee of the whole, and placed on the general order, and the amendments were ordered to be printed.

Mr. Ord, from the committee on engrossment and enrollment, reported title IX of the proposed revision as correctly engrossed.

The following messages were received from the Senate:

SENATE CHAMBER,
February 12, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the House titles I and II of the revision, and to respectfully inform you that the Senate have receded from their fifth, sixth, seventh and fifteenth amendments, and do insist upon their eighth and fourteenth amendments.

Also to return the "joint resolution relative to the state library" with the Senate substitute thereto, and to respectfully inform you that the Senate insist upon their substitute to said joint resolution.

Respectfully, &c.

JAS. E. PLATT,
Secretary of Senate.

SENATE CHAMBER,
February 13, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform the House that the Senate have concurred in the amendment made by the House to the "bill authorizing the Auditor General to settle with and allow to the county of Hillsdale certain monies paid by said county on account of wolf bounties" and have ordered the bill as amended to be enrolled.

Also to transmit a "bill for the relief of Emeline A. Weaver," which the Senate have passed, and to respectfully ask the concurrence of the House thereto.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

On motion of Mr. Walker, the House receded from their disagreement to the Senate amendment to the "joint resolution relative to the state library," and the amendment was concurred in, and the joint resolution as amended was ordered to be enrolled.

The "bill for the relief of Emeline A. Weaver," was read twice and referred to the committee on the judiciary.

On motion of Mr. Walker, the House insisted on their disagreement to the eighth Senate amendment to titles I and II of the proposed revision, and receded from their disagreement to fourteenth Senate amendment, and the fourteenth amendment was then concurred in.

On motion of Mr. Walker a committee of conference on the disagreement between the two Houses was appointed, on the part of the House, and the appointment of a like committee on the part of the Senate was asked.

The Speaker appointed as such committee on the part of the House Messrs. Walker, Noble, and Hazleton.

Mr. Hazleton gave notice that on some future day he should ask leave to introduce a bill to prevent obstructing the navigation of Flint river.

On motion of Mr. Walker,

Resolved, That when this House adjourns, it will adjourn to meet on Monday morning at half past nine o'clock.

Title IX of the proposed revision was then read the third time.

On motion of Mr. Wing, the "bill to provide for the erection of county buildings in the county of Livingston," was taken from the table, and,

On motion of Mr. Dunham, the bill was referred to the committee of the whole, and placed on the general order.

Mr. Noble, from the committee on the judiciary, by consent of the House, reported back without amendment, chapters fifty-two, fifty-three, and fifty-four of title X of the proposed revision.

The House then resolved itself into committee of the whole on the proposed revision, Mr. C. Baldwin in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration, chapters fifty-two, fifty-three and fifty-four, title X, on which they had made some progress, and asked and obtained leave to sit again.

On motion of Mr. A. C. Baldwin, the House went into committee of the whole on the general order, Mr. Sweeney in the chair, and after a time spent thereon the committee rose, and by their chairman reported back to the House without amendment, a "bill to repeal the charter of the village of Dearbornville," and a "bill to provide for the erection of county buildings in the county of Livingston."

On motion of Mr. Hazleton, the "bill to repeal the charter of the village of Dearbornville" was laid on the table.

The "bill to provide for the erection of county buildings in the county of Livingston" was ordered to a third reading.

On motion of Mr. Barbour, the House adjourned.

Monday, February 16, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

On calling the roll, Messrs. Blair, Chubb, Giddings, Hand, Patterson, Scott and Ten Eyck, were absent on leave, and Messrs. Leach, Ord and Sweeney were absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Sweeney for an indefinite time, on account of sickness in his family.

Mr. Toll, for Mr. Ord for an indefinite period.

Mr. Edmunds, for Mr. Chubb till to-morrow.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. Rice, of A. M. Baker and twenty-eight other citizens of Lenawee county, for the enactment of a law appointing a board of commissioners to examine claims for damages in consequence of the laying out of the state rail-roads; referred to the committee on claims.

By Mr. Morse, of E. B. Bostwick and forty-six others, for the appropriation of non-resident highway taxes on the state road from Grand Rapids, in Kent county, to Muskegon, in Ottawa county; referred to the committee on roads and bridges.

Also, the remonstrance of A. C. Smith and fifty-nine other inhabitants of the township of Keene, against the division of said township. Referred to the committee on the organization of townships and counties.

REPORTS.

Mr. Noble, from the committee on the judiciary, reported back chapter fifty-five, of title X, of the proposed revision, with sundry amendments, and the chapter and amendments were referred to the committee of the whole and placed on the general order.

Also, reported back title XI of the proposed revision with sundry amendments, and

On motion of Mr. Noble,

The title was referred to the committee on education.

Mr. Peck, from the committee on federal relations to whom was referred the communication of the Governor with accompanying do-

cuments, respecting the United States Military Reserve at Fort Gratiot, reported

A "bill ceding to the United States jurisdiction over the Milatary Reserve at Fort Gratiot, in the county of St. Clair," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. T. Lewis, from the committee on the organization of townships and counties, reported

A "bill to organize the township of Maple Grove, in the county of Barry," which was read twice, referred to the committee of the whole and placed on the general order.

Mr. Walker from the select committee to whom was referred chapter twenty of title V, of the proposed revision, reported the same back with sundry amendments, and the chapter and amendments were laid on the table, and the amendments were ordered printed.

Mr. Hand from the select committee to whom was referred the subject of the sale of the public works of internal improvement, submitted a report which was read, and a "bill authorizing the sale of the Central Railroad, and incorporating the Michigan Central Railroad Company," which was read twice. The bill and report were then referred to the committee of the whole, and,

On motion of Mr. Hand, two hundred extra copies of the bill were ordered to be printed.

On motion of Mr. Hawley, five hundred extra copies of the report were ordered to be printed.

Mr. Jones pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Vermontville Academical Association," which was read twice, referred to the committee of the whole and placed on the general order.

The "bill to provide for the erection of county buildings in the county of Livingston," was read the third time and passed.

On motion of Mr. Barbour, the House went into committee of the whole on the proposed revision, Mr. C. Baldwin in the chair, and after some time spent thereon the committee rose and by their chairman reported that they had had under consideration title VI, on which they had made some progress, and asked and obtained leave to sit again.

On motion of Mr. Hollister, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

Mr. Ames from the committee on engrossment and enrollment, reported as correctly enrolled, the "joint resolution relative to the state library," and that the same was this day presented to the Governor for his signature.

On motion of Mr. A. C. Baldwin, the House resolved itself into committee of the whole on the general order, Mr. Wakeman in the chair; after some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment, a "bill to incorporate the Vermontville Academical Association," a "bill ceding to the United States jurisdiction over the military reserve at Fort Gratiot," and a "bill to incorporate the Adrian Lyceum and Benevolent Association;" and also a "bill to incorporate the Corunna and Northampton turnpike company," and a "bill to incorporate the Grand Rapids Fountain Company," to which they had made sundry amendments in which the concurrence of the House was asked.

The "bill ceding to the United States jurisdiction over the military reserve at Fort Gratiot," was ordered to be engrossed for a third reading.

The "bill to incorporate the Adrian Lyceum and Benevolent Association" was ordered to a third reading by the following vote:

YEAS.

Mr. Ames,	Mr. Jones,	Mr. Rice,	
A. C. Baldwin,	Kennedy,	Sanborn,	
Barbour,	Leland,	Sprague,	
Barrett,	T. Lewis,	Toll,	
Brotherson,	McDonald,	Wakeman,	
Cook,	Morse,	Walker,	
Groves,	O'Malley	Webster,	
Hawley,	Palmer,	Wing,	
Hazleton,	Peck,	Speaker,	
Hollister,	Ransom,		29

NAYS.

Mr. Andrews,	Mr. Davis,	Mr. Parsons,	5
C. Baldwin,	Edmunds,		

The amendment to the "bill to incorporate the Grand Rapids Fountain Company," was concurred in, and,

On motion of Mr. Edmunds, section five was amended by striking out of the second line the words "and freely to make use of."

The bill was then ordered to be engrossed and read the third time.

The "bill to incorporate the Vermontville Academical Association" being under consideration,

Mr. Ames moved to amend the bill by striking out section eight, and inserting as follows: "The legislature may at any time alter, amend, modify, or repeal this act," which motion was lost.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Hazleton, the "bill to incorporate the Corunna and Northampton turnpike company" was committed to a select committee with instructions.

The Speaker appointed as such select committee, Messrs. Hazleton, Cole and Kennedy.

The following message was received from the Senate:

SENATE CHAMBER,
February 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform the House that Senators Fenton, Thurber and Bush have been appointed a committee of conference on the part of the Senate upon the disagreement between the two houses, in regard to the 8th amendment made by the Senate to titles I and II of the revision.

Also to transmit a "joint resolution relative to money stolen from the treasurer of Shiawassee county," which the Senate have adopted and in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The "joint resolution relative to money stolen from the treasurer of Shiawassee county," was read twice, and referred to the committee on the judiciary.

On motion of Mr. Hollister, the House adjourned.

Tuesday, February 17, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Chubb, Giddings, Hand, Ord, Patterson, Scott, Sweeney and Ten Eyck, were absent on leave, and Messrs. Brotherson and Leach absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hollister, of seventy-five citizens of St Clair county, for the incorporation of the Port Huron and lake Michigan railroad company; referred to the committee on banks and incorporations.

Also, of thirty-four citizens of the township of Lexington, St. Clair county, for the repeal of a law providing for laying a certain state road; referred to the committee on roads and bridges.

By Mr. Ames of Harris Smith, and other citizens of Wayne county for the division of said county; laid on the table.

By Mr. T. Lewis, remonstrance of Harry Saunders and forty other citizens of Wayne county; laid on the table.

By Mr. McDonald, of J. Carpenter and forty-seven other citizens of Lenawee county for the sale of public works; referred to the select committee on that subject.

REPORTS.

Mr. Dunham from the committee on claims, made the following report:

The committee on claims to whom was referred the petition of H. Willy, praying that interest may be allowed him on a claim growing out of our internal improvements, have had the same under consideration and have instructed me to report adversely. It seems from the petition that the board of state auditors in the year 1844, examined the claim and allowed him 270 dollars, and it is but fair to presume that they took all the equities of the case into consideration.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Dunham, from the same committee, to whom was referred the petition of E. H. Bristol, relative to his purchase of certain universi-

On motion of Mr. Edmunds, section five was amended by striking out of the second line the words "and freely to make use of."

The bill was then ordered to be engrossed and read the third time.

The "bill to incorporate the Vermontville Academical Association" being under consideration,

Mr. Ames moved to amend the bill by striking out section eight, and inserting as follows: "The legislature may at any time alter, amend, modify, or repeal this act," which motion was lost.

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Hazleton, the "bill to incorporate the Corunna and Northampton turnpike company" was committed to a select committee with instructions.

The Speaker appointed as such select committee, Messrs. Hazleton, Cole and Kennedy.

The following message was received from the Senate:

SENATE CHAMBER,
February 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform the House that Senators Fenton, Thurber and Bush have been appointed a committee of conference on the part of the Senate upon the disagreement between the two houses, in regard to the 8th amendment made by the Senate to titles I and II of the revision.

Also to transmit a "joint resolution relative to money stolen from the treasurer of Shiawassee county," which the Senate have adopted and in which they respectfully ask the concurrence of the House.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

The "joint resolution relative to money stolen from the treasurer of Shiawassee county," was read twice, and referred to the committee on the judiciary.

On motion of Mr. Hollister, the House adjourned.

Tuesday, February 17, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Chubb, Giddings, Hand, Ord, Patterson, Scott, Sweeney and Ten Eyck, were absent on leave, and Messrs. Brotherson and Leach absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hollister, of seventy-five citizens of St Clair county, for the incorporation of the Port Huron and lake Michigan railroad company; referred to the committee on banks and incorporations.

Also, of thirty-four citizens of the township of Lexington, St. Clair county, for the repeal of a law providing for laying a certain state road; referred to the committee on roads and bridges.

By Mr. Ames of Harris Smith, and other citizens of Wayne county for the division of said county; laid on the table.

By Mr. T. Lewis, remonstrance of Harry Saunders and forty other citizens of Wayne county; laid on the table.

By Mr. McDonald, of J. Carpenter and forty-seven other citizens of Lenawee county for the sale of public works; referred to the select committee on that subject.

REPORTS.

Mr. Dunham from the committee on claims, made the following report:

The committee on claims to whom was referred the petition of H. Willy, praying that interest may be allowed him on a claim growing out of our internal improvements, have had the same under consideration and have instructed me to report adversely. It seems from the petition that the board of state auditors in the year 1844, examined the claim and allowed him 270 dollars, and it is but fair to presume that they took all the equities of the case into consideration.

The report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Dunham, from the same committee, to whom was referred the petition of E. H. Bristol, relative to his purchase of certain universi-

ty lands, reported the same back, and recommended its reference to the committee on public lands.

The report was accepted, and the petition was referred to the committe on public lands.

Mr. Peck, from the select committee, to whom was referred chapter thirty of the proposed revision, with instructions, reported the same back with sundry amendments, and the chapter and amendments were referred to the committee of the whole, and placed on the general order.

A communication was received from the acting commissioner of internal improvement, in answer to the resolution of inquiry adopted by the House on Friday.

The communication was read, and

On motion of Mr. Edmunds,

Laid on the table and ordered to be printed.

Mr. Wakeman, pursuant to previous notice, asked and obtained leave to introduce a "bill to authorize the supervisors of the county of Jackson to re-assess certain taxes in said county," which was read twice, and

On motion of Mr. Hazleton,

Referred to the committee on ways and means.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed the "bill ceding to the United States jurisdiction over the military reserve at Fort Gratiot, in the county of St. Clair," and the "bill to incorporate the Grand Rapids Fountain Company."

The "bill ceding to the United States jurisdiction over the military reserve at Fort Gratiot, in the county of St. Clair," was read the third time and passed.

The "bill to incorporate the Adrian Lyceum and Benevolent Association," was read the third time and passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Leland,	Mr. Ransom,
A. C. Baldwin,	T. Lewis,	Rice,
Barbour,	McDonald,	Sprague,
Blair,	Moran,	Thomas,
Chubb,	Morse,	Toll,
Cook,	O'Malley,	Walker,
Hazelton,	Palmer,	Webster,

Hollister,	Peck,	Wing,	
Jones,	Pierce,	Speaker,	
Kennedy,			28

NAYS.

Mr. C. Baldwin,	Mr. Dunham,	Mr. Giddings,	
Barrett,	Edmunds,		5

The "bill to incorporate the Grand River Fountain Company," was read the third time, and,

On motion of Mr. Ames, laid on the table.

The House then went into committee of the whole upon title VI of the revision, Mr. C. Baldwin in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked leave to sit again.

Mr. Ames from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to incorporate the Vermontville Academical Association."

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Detroit, February 17, 1846.

To the Senate and House of Representatives:

Since the last session of the legislature there has been transmitted to this state, under the direction of the Congress of the United States, a copy of the "Narrative of the United States Exploring Expedition," under the command of Charles Wilkes, U. S. N., in five quarto volumes with an atlas. There has also been received from the state of New York, agreeably to a resolution for that purpose, adopted by the legislature of that state, a copy of a work on the Natural History of New York, published under the auspices of state authority, in ten quarto volumes with a geological map.

These works are bound in the best manner, and contain many valuable and finely executed engravings. They are books of great value, and should be carefully preserved. It has been suggested that their preservation would be better secured, and the beneficial use of them be extended by depositing them, for the present at least, in the library of the University of Michigan, than by placing them in the state library at the capitol. I respectfully solicit the attention of the legislature to this subject, with a view to making such disposition of these works as shall best comport with the interest of the public, and the object of these valuable donations.

A communication has been received by me from the Assistant Librarian of Harvard University, soliciting from this state the donation of a copy of each of the documents, reports, maps, &c., which have been or may hereafter be published by the state authority, to be deposited in the library of that University. The library of that ancient and honourable institution is among the best and most extensive in the western continent, and in the department devoted to works on American history and legislation, is probably exceeded by none in the world. Much of the history of every state is to be found in its public documents, and yet few of these ever find their way into any safe and convenient depository for future reference beyond the capitol, and in a few years they are no where to be obtained. Indeed, it is now true of many of the states in the Union, that perfect sets of the public documents can no where be found, and it is to be feared that the same will soon be true of this state, unless the subject receive immediate attention. It would seem to be a duty as well to posterity as to ourselves, to place these materials for writing the annals of our commonwealth—these contributions of the history of the times and of free government—these memorials of the efforts and the energies of our young republic, in public depositories, where they shall be safe from destruction, and shall be preserved for convenient reference by all who may have occasion to consult them. The expense of furnishing copies of such documents to some of the principal libraries in the country, would be trifling, and would be richly compensated by the advantage to be derived from it.

I find also, in the Executive office a communication, which was received some time since from the "New York Historical Society," soliciting a like donation to the library of that association. The zealous and praise worthy efforts of that society have long been devoted to the collection of books and documents in the department of American history, and its extensive library is the depository of many rare and valuable works on this subject. I respectfully suggest to the consideration of the legislature the propriety of granting the donation solicited by the society.

ALPHEUS FELCH.

On motion of Mr. A. C. Baldwin,

The communication was referred to the committee on education.

On motion of Mr. Cook, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. A. C. Baldwin, Cook, Giddings, Hand, Noble, Ord, Patterson, Scott, Sweeney and Ten Eyck were absent on leave, and Messrs. Andrews, Dunham, Graham, Leach, T. Lewis, W. Lewis, O'Malley, Thomas, Toll and Webster, were absent without leave.

Mr. Morse asked and obtained leave of absence for Mr. W. Lewis for the afternoon.

On motion of Mr. Hazleton,

The House resolved itself into committee of the whole on the proposed revision, Mr. A. C. Baldwin in the chair, and after spending some time thereon, the committee rose, and by their chairman reported back titles VI and X, and chapter thirty of title X, with sundry amendments, in which the concurrence of the House was asked.

Mr. Walker, from the select committee on apportionment, reported back to the House the "bill to apportion anew the representatives and senators among the several counties and districts of this state," amended according to instructions.

The bill and amendments were placed on the general order and ordered to be printed.

On motion of Mr. Andrews,

The House adjourned.

Wednesday, Febauary 18, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. A. C. Baldwin, Giddings, Hand, Noble, Ord, Sweeney and Ten Eyck were absent on leave, and Messrs. Chubb and Pierce, absent without leave.

Mr. Edmunds asked and obtained leave of absence for Mr. Pierce for the day, on account of illness.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hand, of Thomas S. Sweeney, and other citizens of Dearborn, Wayne county, asking that some township officer may be authorized to hold coroner's inquests; referred to the committee on the udiciary.

Also, two several remonstrances of citizens of Dearborn, Wayne county, against the division of said county; laid on the table.

Also, eleven petitions of citizens of Wayne and Monroe counties, for the organization of a new county out of the territory now forming the northern part of the county of Monroe and the southern part of Wayne county; laid on the table.

By Mr. Ames, three several remonstrances of citizens of Wayne county, against the division of said county; laid on the table.

Also, the proceedings of a meeting of the citizens of Redford, Wayne county, opposed to a division of said county; laid on the table;

Also, the proceedings of a meeting of the citizens of Livonia, in the same county, for the same purpose; laid on the table.

By Mr. Ransom, the petition of H. H. Comstock, and two hundred other citizens of Kalamazoo county, for the passage of a law which may help to protect one hundred thousand valuable sheep, from the ravages of two thousand worthless dogs; referred to the committee on agriculture and manufactures.

Also, of A. H. Scott, and one hundred and fifty other citizens of Kalamazoo county, for the incorporation of a company to construct a plank road from Schoolcraft to St. Joseph, and for other purposes; referred to the committee on banks and incorporations.

Also, the resolutions and memorial of the board of supervisors of Kalamazoo county, for an appropriation to improve the navigation of the Kalamazoo; referred to the committee on internal improvement.

By Mr. Jones, forty-eight citizens of the county of Eaton, for the sale of the public works; referred to the select committee on that subject.

By Mr. Morse, of G. W. Churchill and sixty-one other citizens of Ionia county, for the appropriation of certain non-resident highway taxes on the Detroit and Grand River road; referred to the committee on roads and bridges.

By Mr. Palmer, the claim of R. W. Jenny; referred to the committee on claims.

By Mr. Walker, of citizens of Oakland, Macomb and Wayne counties, relative to the leasing of the Clinton and Kalamazoo canal; referred to the committee on the sale of the public works.

Also, a petition of citizens of Macomb county, for the sale of the public works; same reference.

By Mr. Hawley, of forty-eight citizens of the county of Wayne, for a division of said county; laid on the table.

By Mr. Scott, the remonstrance of Cortland Hill, and twenty-three other citizens of Clinton county, against the repeal of the act for the improvement of the Pontiac and Grand River road; referred to the committee on roads and bridges.

Also, the petition of David Sturgiss and other citizens of Clinton county, for the amendment of the act for the improvement of the Pontiac and Grand River road; same reference.

Also, of twenty-one citizens of Eagle, Clinton county, for the establishment of a ferry across the Grand River in said county; same reference.

Also, of Wm. F. Jennison and fifty-two other citizens of Eagle, Clinton county, for the appropriation of non-resident highway taxes on a certain road; same reference.

Also, of citizens of Owasso, Shiawassa county, for the incorporation of the Port Huron and Lake Michigan Railroad company. Laid on the table.

By Mr. Barbour, of citizens of township of Homer, for the vacating of a part of the village plat of the village of Homer. Referred to the committee on the judiciary.

By Mr. Patterson, of sundry inhabitants of Lenawee county, for the passage of a law to provide for the appraisal of lands flowed by milldams; same reference.

REPORTS.

Mr. Dunham, from the committee on claims, to whom was referred the Senate "bill authorizing a settlement of the claim of William Norman McLeod," reported the same back without amendment, and recommended its passage.

The report was accepted, and

On motion of Mr. Hand, the bill was laid on the table.

Mr. Dunham, from the same committee, made the following report, which was accepted, and the committee discharged from the further consideration of the same subject.

The committee on claims, to whom was referred the petition of Jesse S. Fletcher, for damages sustained as a contractor on the Clinton and Kalamazoo canal, have had the same under consideration, and report adversely to the claim for the following reasons:

1st. There is no evidence before the committee except the statement of the petitioner himself.

2d. It seems from his own statement, that he has had what he calls "an attempt at settlement," with the board of internal improvement, and was allowed 400 dollars.

Mr. Noble, from the committee on the judiciary, reported back title 12 of the proposed revision, with sundry amendments, and the title and amendments were referred to the committee of the whole, placed on the general order, and the amendments ordered to be printed.

Mr. Andrews, from the committee on education, to whom was referred title XI of the proposed revision, reported the same back with sundry amendments, and the title and amendments were referred to the committee of the whole, and placed on the general order.

Mr. Hazleton, from the select committee, to whom was referred the "bill to incorporate the Corrunna and Northampton Turnpike Company," with instructions, reported the same back with sundry amendments, and the bill and amendments were referred to the committee of the whole, placed on the general order, and the amendments ordered to be printed.

The following communication was received from the commissioner of revision:

Detroit, February 18, 1846.

Hon. Isaac E. Crary, *Speaker of the House of Representatives:*

Sir:—I have the honor to transmit herewith to the House of Representatives, that portion of the proposed revision of the statutes, commencing at section 6, in chapter 125, and extending to an including chapter 150.

Very respectfully,

Your ob't servant,

S. M. GREEN.

The communication and accompanying documents, were referred to the committee on the judiciary.

Mr. Hand moved that the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," be made the special order of the day, for Friday next.

Mr. Noble moved to amend the motion by making the bill the special order for Wednesday next, which motion was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Peck,	
Andrews,	Graham,	Wakeman,	
A. C. Baldwin,	T. Lewis,	Wing,	
Cook,	Noble,		11

NAYS

Mr. C. Baldwin,	Mr. Hollister,	Mr. Patterson,	
Barbour,	Jones,	Ransom,	
Barrett,	Kennedy,	Rice,	
Blair,	Leland,	Sanborn,	
Brotherson,	Leach,	Scott,	
Chubb,	W. Lewis,	Sprague,	
Cole,	McDonald,	Thomas,	
Davis,	Moran,	Toll,	
Dunham,	Morse,	Walker,	
Edmunds,	O'Malley,	Webster,	
Hand,	Palmer,	Speaker,	
Hazelton,	Parsons,		35

And the question recurring on the motion made by Mr. Hand, it prevailed; so the bill was made the special order for Friday next.

On motion of Mr. Hazelton,

The "bill to incorporate the Grand Rapids Fountain Company" was taken from the table, and

On motion of Mr. Morse,

Referred to a select committee with instruction to amend the same.

The Speaker appointed as such committee Messrs. Morse, Hazelton and Ames.

Mr. A. C. Baldwin gave notice that on some future day, he should ask leave to introduce a "bill to amend an act entitled an act to incorporate the Pontiac and Huron River Canal Company," approved March 21, 1837.

The "bill to incorporate the Vermontville Academical Association" was read the third time, and the question being on its passage, it

was lost by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. A. C. Baldwin,	Mr. T. Lewis,	Mr. Ransom,	
Barbour,	W. Lewis,	Rice,	
Blair,	Moran,	Scott,	
Brotherson,	Morse,	Sprague,	
Glen,	O'Malley,	Toll,	
Graham,	Palmer,	Walker,	
Hazelton,	Patterson,	Webster,	
Jones,	Peck,	Wing,	24

NAYS.

Mr Andrews,	Mr. Edmunds,	Mr. Parsons,	
C. Baldwin,	Kennedy,	Sanborn,	
Barrett,	Leland,	Thomas,	
Chubb,	Leach,	Wakeman,	
Cook,	McDonald,	Speaker,	
Davis,			16

The House then took up the report of the committee of the whole, made yesterday, and the question being on concurring in the amendment made to section five of chapter thirty, title VII, it was concurred in.

On motion of Mr. Groves,

The amendment made to section nine, was amended, by striking out "thirty" in the first line, and inserting "seventy," and the section as amended, was concurred in.

The amendment to the first line of section ten, striking out 'three' before 'qualities,' and inserting 'four' was concurred in.

The amendments made to the sub-division of the chapter under the head of 'Fish' were concurred in.

The sub-division under the head of 'Flour and Meal,' being under consideration,

On motion of Mr. Brotherson,

The second line of sction eighteen was amended, by striking out the word 'seven,' after 'twenty' and inserting 'nine,' and also by striking out 'sixteen' and inserting 'eighteen.'

The amendment striking out the entire sub-division under the head of 'Pot and Pearl Ashes,' was concurred in, and

The amendments made to the sub-division under the head of 'Staves and Heading,' were also concurred in.

The amendmentr made to chapter twenty-two, title VI were concurred in.

On motion of Mr. Edmunds,

The following proviso was added to section four:

Provided, That no money shall be raised for such purpose unless it be in accordance with an appropriation voted at the preceding, annual township, or at a special meeting called in pursuance of law, which vote shall be by ballot.

On motion of Mr. Edmunds,

The following section was inserted in the chapter, to stand as section five:

Sec. 5. Whenever the commissioners of highways propose to raise any sum or sums of money, for the purpose mentioned in the preceding section, they shall at least ten days previous to the next annual, or of any special, township meeting, submit to the supervisor of the proper township, a statement of the amounts proposed to be raised, and the particular roads or bridges to which the same is to be applied; a copy of which statement the supervisor shall cause to be posted upon three of the most public places in said township, at least six days previous to any annual or special township meeting, and if a majority of all the electors voting at such meeting shall vote for raising by tax the several sums proposed to be raised, or any one or more of them, then the supervisors shall cause the sum or sums so voted for to be levied and collected as provided in the next preceding section; and such votes shall be placed in a separate box, which shall be provided for that purpose, and may be canvassed as near as may be in the same manner that votes for the office of supervisor are canvassed.

The amendments made to chapter twenty-three were concurred in.

Mr. Hazleton moved to amend the sixth line of section five, in chapter twenty-three, by inserting after the word "day's," the words "and a half," which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Jones,	Mr. Sanborn,
Blair,	Kennedy,	Scott,
Chubb,	T Lewis,	Sprague,
Cole,	W Lewis,	Toll,
Hawly,	Morse,	Webster,
Hazelton,	Palmer,	Wing,
Hollister,		

19

NAYS.

Mr. A. C. Baldwin,	Mr. Groves,	Mr. Parsons,
C. Baldwin,	Hand,	Patterson,
Barbour,	Leland,	Ransom,
Barrett,	Leach,	Rice,
Brothers.n,	McDonald,	Thomas,
Davis,	Moran,	Wakeman,
Cook,	Noble,	Walker,
Edmunds,	O'Malley,	Speaker,
Graham,		25

The amendments to chapters twenty-four, twenty-five, and twenty-six, were severally concurred in by the House.

Mr. Hazleton offered the following substitute for section twelve, of chapter twenty-six, which substitute was adopted:

"Sec. 12. Whoever shall obstruct the navigation of any river or stream which now is, or may hereafter be declared a public highway, by falling any tree therein, or by putting into any river or stream so declared a public highway, any refuse lumber, slabs, or other waste material, and on conviction thereof shall forfeit the sum of five dollars for any such offence.

On motion of Mr. O'Malley,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, was called to order by the Speaker, and the consideration of the report of the committee of the whole was resumed.

The amendments made to chapter twenty-eight and twenty-nine were severally concurred in, and title 6 was ordered to be engrossed for a third reading.

Title 10 being under consideration,

On motion of Mr. Patterson,

Chapter fifty-four was amended as follows:

In the first line of sections one and three, the word "seven" was stricken out, and "five" inserted.

In the first line of section two, the word "five" was stricken out, and "three" was inserted.

The amendments made to chapter fifty-five were concurred in, and title 10 was then ordered to be engrossed and read the third time.

Title VII was again taken up, and on a motion of Mr. Hand, chapter thirty was amended, by adding the following, to stand as section eleven:

"Sec. 11. The second quality of pork shall be denominated one hog pork, of which there shall be in a barrel not more than two hams, two shoulders, one neck, one rump, one head, and the rest of side pieces, so as to weigh two hundred pounds."

Title VII was then ordered to be engrossed and read the third time.

The House then took up the special order for the day, being the "bill to establish the county of Detroit, and for other purposes," when

Mr. Hawley moved that the bill be recommitted to a select committee, with instructions to amend the same.

Mr. Dunham moved to amend the motion, by instructing the committee to report, two weeks from this day, which motion was lost.

The question then recurring on the motion to commit to a select committee, it prevailed, and Messrs. Hawley, Peck and Hand were appointed such committee.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole on the proposed revision, Mr. Glen in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration title XI, on which they had made some progress, and asked leave to sit again. Leave was granted.

The following message was received from the Senate:

SENATE CHAMBER, }
February 17, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit "a bill to amend the charter of the city of Detroit," which the Senate have passed and in which the concurrence of the House is respectfully asked.

Also to return the "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, in the township of Royalton in Berrien county," and to respectfully inform you that the Senate have passed the same.

Also to return the "bill to provide for a division of the township

On motion of Mr. Walker,

The title and Senate amendments were laid upon the table.

Mr. Leland, being one of the sixteen who voted against the passage of the "bill to incorporate the Vermontville Academical Association," which bill was yesterday lost, two thirds not voting in the affirmative, moved a reconsideration of the vote by which the bill was lost.

The Speaker decided the motion, as made, to be out of order; that in this case, where the constitution required a vote of two-thirds, one of those voting with the smaller number, was incompetent, under the twenty-seventh rule of the House, to move a reconsideration.

Mr. Jones appealed from the decision.

And the question being, "shall the decision of the chair stand as the judgment of the House," it was decided in the affirmative by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Patterson,	
A. C. Baldwin,	Hand,	Peck,	
C. Baldwin,	Hawley,	Ransom,	
Barbour,	Hollister,	Scott,	
Brotherson,	Kennedy,	Sprague,	
Cook,	T. Lewis,	Thomas,	
Davis,	W. Lewis,	Toll,	
Dunham,	McDonald,	Wakeman,	
Edmunds,	Moran,	Walker,	
Giddings,	Noble,	Webster,	
Glen,	O'Malley,	Wing,	
Graham,	Palmer,		35

NAYS.

Mr. Ames,	Mr. Cole,	Mr. Leland,	
Barrett,	Hazelton,	Morse,	
Blair,	Jones,	Parsons.	
Chubb,			10

Mr. Hazleton, being one of the twenty-four who voted in favor of the passage of the bill, then moved a reconsideration of the vote by which the bill was lost.

The Speaker decided the motion to be out of order, under the rule requiring of those voting in the majority to move a reconsideration; and the party losing, could not be in the majority.

Mr. Groves appealed from this decision; when,

Mr. Hand moved to lay the appeal on the table, which motion was lost; and,

The question then being on the appeal, the decision of the Speaker was sustained by the following vote, Mr. Hawley having moved to excuse Mr. Jones from voting which motion was not agreed to:

YEAS.

Mr. Ames,	Mr. Hazleton,	Mr. Noble,	
C. Baldwin,	Hollister,	O'Malley	
Barbour,	Jones,	Parsons,	
Barrett,	Kennedy,	Ransom,	
Blair,	Leland,	Sprague,	
Chubb,	T. Lewis,	Thomas,	
Cook,	W. Lewis,	Toll,	
Dunham,	McDonald,	Webster,	
Graham,	Morse,		26

NAYS.

Mr. Andrews,	Mr. Glen,	Mr. Patterson,	
A. C. Baldwin,	Groves,	Peck,	
Brothereon,	Hand,	Scott,	
Cole,	Hawley,	Wakeman,	
Davis,	Moran,	Walker,	
Edmunds,	Palmer,	Wing,	
Giddings,			19

On motion of Mr. Patterson, the vote by which the first decision of the chair was sustained was reconsidered and the question recurring on the appeal,

On motion of Mr. Jones, the appeal was laid on the table.

On motion of Mr. Jones, the vote by which the second decision of the chair was sustained, was reconsidered, and the question then recurring on the appeal,

On motion of Mr. Walker, the appeal was laid on the table.

Mr. Toll gave notice that on some future day, he should ask leave to introduce a bill to authorize Amos Brownson and Henry Doan to erect a dam across the St. Joseph river.

On motion of Mr. Groves, the Senate "bill authorizing a settlement of the claim of W. Norman MacLeod," was taken from the table, and placed on the general order.

On motion of Mr. Hand,

The Senate bill to amend the charter of the city of Detroit was taken from the table, and ordered to a third reading.

The bill having been read the third time,

Mr. Ames asked and obtained the unanimous consent of the House to make the following amendment, to stand as section six:

"Section 6. That the Mayor of said city shall preside in the Mayor's court, only in the absence of the recorder."

The bill was then passed by a two thirds vote, as follows:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Parsons,	
A. C. Baldwin,	Hazelton,	Patterson,	
C. Baldwin,	Hollister,	Peck,	
Barbour,	Jones,	Rice,	
Brotherson,	Kennedy,	Scott,	
Chubb,	Leland,	Sprague,	
Cole,	T. Lewis,	Thomas,	
Davis,	W. Lewis,	Toll,	
Dunham,	McDonald,	Wakeman,	
Edmunds,	Moran,	Walker,	
Glen,	Morse,	Webster,	
Graham,	O'Malley,	Wing,	
Groves,	Palmer,	Speaker,	39

NAYS.

Mr. Andrews,	Mr. Barrett,	2

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly engrossed, title 10 of the proposed revision.

Also, as correctly enrolled, the "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, in the township of Royalton, Berrien county," and that the same was this day presented to the Governor for his approval.

Title X of the proposed revision was then read the third time.

Mr. Barbour moved that the House go into committee of the whole on the proposed revision, which motion did not prevail.

On motion of Mr. Groves,

The House resolved itself into a committee of the whole on the "bill to apportion anew the Representatives and Senators among the several counties and districts of this state," Mr. Edmunds in the chair, and after a short time spent thereon the committee rose and by their chairman reported the bill back with an amendment, in which the concurrence of the House was asked.

The amendment, being the substitute for the second section of the

bill reported by the select committee on apportionment, was concurred in.

On motion of Mr. Davis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On calling the roll, Messrs. Ord, Pierce, Sanborn, Sweeney and Ten Eyck were absent on leave, and Messrs. Brotherson, Dunham, Hawley, Leach and Scott, absent without leave.

Mr. Davis asked and obtained leave of absence for Messrs. Dunham and Webster, for the day.

The House resumed the consideration of the "bill to apportion anew the Representatives and Senators among the several counties and districts of this state," and the bill was ordered to be engrossed for a third reading by the following vote:

YEAS.

Mr. Ames,	Mr. Hazleton,	Mr. Patterson,	
Andrews,	Hollister,	Peck,	
A. C. Baldwin,	Jones,	Rice,	
C. Baldwin,	T. Lewis,	Scott,	
Barbour,	W. Lewis,	Sprague,	
Cole,	McDonald,	Thomas,	
Davis,	Moran,	Toll,	
Giddings,	Morse,	Wakeman,	
Glen,	Noble,	Walker,	
Groves,	O'Malley,	Wing,	
Hand,	Palmer,	Speaker,	33

NAYS.

Mr. Barrett,	Mr. Cook,	Mr. Leland	
Blair,	Edmunds,	Parsons,	
Brotherson,	Graham,	Ransom,	
Chubb,	Kennedy,		11

On motion of Mr. Walker,

The engrossing of the bill was dispensed with, and the bill read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Hazleton,	Mr. Patterson,	
Andrews,	Hollister,	Peck,	
A. C. Baldwin,	Jones,	Rice,	
C. Baldwin,	T. Lewis,	Scott,	

Barbour,	W. Lewis,	Sprague,	
Cole,	McDonald,	Thomas,	
Davis,	Moran,	Toll,	
Giddings,	Morse,	Wakeman,	
Glen,	Noble,	Walker,	
Groves,	O'Malley,	Wing,	
Hand,	Palmer,	Speaker,	33

NAYS.

Mr. Barrett,	Mr. Cook,	Mr. Leland,	
Blair,	Edmunds,	Parsons,	
Brotherson,	Graham,	Ransom,	
Chubb,	Kennedy,		11

Mr, Hand moved that the vote by which the "bill to amend the charter of the city of Detroit," was passed, be reconsidered, which motion was unanimously agreed to.

Mr. Hand then asked and obtained the unanimous consent of the House to amend the bill by adding the following proviso to section four:

"Provided, That for collecting city and school taxes, such collectors shall be entitled to take and receive only such compensation as may be provided and allowed them by the mayor, recorder and aldermen of the city of Detroit."

The question recurring on the passage of the bill, it was passed by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. O'Malley,	
A. C. Baldwin,	Hand,	Palmer,	
Barbour,	Hazleton,	Patterson,	
Barrett,	Hollister,	Peck,	
Blair,	Jones,	Rice,	
Chubb,	Kennedy,	Sprague,	
Cole,	Leland,	Thomas,	
Davis,	T. Lewis,	Toll,	
Edmunds,	W. Lewis,	Wakeman,	
Giddings,	McDonald,	Walker,	
Glen,	Moran,	Wing,	
Graham,	Morse,	Speaker,	36

NAYS.

0

On motion of Mr. Hazelton,

The House went into committee of the whole on the general order, Mr. Barret in the chair.

And after some time spent thereon, the committee rose, and by their

chairman reported that they had under consideration, a "bill to incorporate the Corrunna and Northampton Turnpike Company," which they reported back with sundry amendments.

The report of the committee was accepted, and

On motion of Mr. Hazelton,

The bill and amendments were laid on the table.

Mr. Brotherson, from the committee on engrossment and enrollment reported as correctly engrossed,

Titles VI and VII of the proposed revision, which titles were then read the third time.

On motion of Mr. Hand,

The committee of the whole were discharged from the consideration of the "bill to authorize a settlement of the claim of Wm. Norman MacLeod," and the bill was taken up in the House, ordered to a third reading, read the third time and passed,

On motion of Mr. Groves,

The House adjourned.

Friday, February 20, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. A. C. Baldwin, Hand, Noble, Ord, Sweeney and Ten Eyck were absent on leave, and Messrs. Andrews, Glen, Hawley, Leland, T. Lewis, and Pierce, absent without leave.

Mr. Edmunds asked and obtained leave of absence for Mr. Leland till Tuesday.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Wakeman, of Stephen B. Crawford, and seventy-four other citizens of the township of Springport, Jackson county, for the relinquishment of certain non-resident highway taxes; referred to the committee on roads and bridges.

By Mr. W. Lewis, of Salmon C. Hall, and eleven other citizens of the township of Barry, in Barry county, for the laying out of a certain state road; same reference.

Barbour,	W. Lewis,	Sprague,	
Cole,	McDonald,	Thomas,	
Davis,	Moran,	Toll,	
Giddings,	Morse,	Wakeman,	
Glen,	Noble,	Walker,	
Groves,	O'Malley,	Wing,	
Hand,	Palmer,	Speaker,	33

NAYS.

Mr. Barrett,	Mr. Cook,	Mr. Leland,	
Blair,	Edmunds,	Parsons,	
Brotherson,	Graham,	Ransom,	
Chubb,	Kennedy,		11

Mr, Hand moved that the vote by which the "bill to amend the charter of the city of Detroit," was passed, be reconsidered, which motion was unanimously agreed to.

Mr. Hand then asked and obtained the unanimous consent of the House to amend the bill by adding the following proviso to section four:

"Provided, That for collecting city and school taxes, such collectors shall be entitled to take and receive only such compensation as may be provided and allowed them by the mayor, recorder and aldermen of the city of Detroit."

The question recurring on the passage of the bill, it was passed by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. O'Malley,	
A. C. Baldwin,	Hand,	Palmer,	
Barbour,	Hazleton,	Patterson,	
Barrett,	Hollister,	Peck,	
Blair,	Jones,	Rice,	
Chubb,	Kennedy,	Sprague,	
Cole,	Leland,	Thomas,	
Davis,	T. Lewis,	Toll,	
Edmunds,	W. Lewis,	Wakeman,	
Giddings,	McDonald,	Walker,	
Glen,	Moran,	Wing,	
Graham,	Morse,	Speaker,	36

NAYS.

0

On motion of Mr. Hazelton,

The House went into committee of the whole on the general order, Mr. Barret in the chair.

And after some time spent thereon, the committee rose, and by their

chairman reported that they had under consideration, a "bill to incorporate the Corrunna and Northampton Turnpike Company," which they reported back with sundry amendments.

The report of the committee was accepted, and

On motion of Mr. Hazelton,

The bill and amendments were laid on the table.

Mr. Brotherson, from the committee on engrossment and enrollment reported as correctly engrossed,

Titles VI and VII of the proposed revision, which titles were then read the third time.

On motion of Mr. Hand,

The committee of the whole were discharged from the consideration of the "bill to authorize a settlement of the claim of Wm. Norman MacLeod," and the bill was taken up in the House, ordered to a third reading, read the third time and passed,

On motion of Mr. Groves,

The House adjourned.

Friday, February 20, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. A. C. Baldwin, Hand, Noble, Ord, Sweeney and Ten Eyck were absent on leave, and Messrs. Andrews, Glen, Hawley, Leland, T. Lewis, and Pierce, absent without leave.

Mr. Edmunds asked and obtained leave of absence for Mr. Leland till Tuesday.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Wakeman, of Stephen B. Crawford, and seventy-four other citizens of the township of Springport, Jackson county, for the relinquishment of certain non-resident highway taxes; referred to the committee on roads and bridges.

By Mr. W. Lewis, of Salmon C. Hall, and eleven other citizens of the township of Barry, in Barry county, for the laying out of a certain state road; same reference.

By Mr. Walker, the claim of S. Wesolowski; referred to the committee on claims.

Mr. Toll from the committee on militia made the following report, which was accepted:

The committee on militia to whom was referred several communications relative to the storage of the state arms in the United States arsenal at Dearborn in accordance with a resolution instructing the Adjutant General to enquire and report what arrangements might be made to carry out such purpose, beg leave to report that permission has been obtained from the Secretary of War under certain restrictions which may be seen by reference thereto, for the safe keeping of the state arms at said arsenal, and present the accompanying joint resolution.

The joint resolution was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Dunham from the committee on claims, to whom was referred the petition of Messrs. Brown and Dibble, in relation to certain Speaker's warrants issued in 1845, to W. N. MacLeod, reported the same back to the House, asked to be discharged from the further consideration of the subject, and recommended that the same be referred to the committee on the judiciary.

The report was accepted, the committee discharged, and the subject referred to the committee on the judiciary.

The following message was received from the Senate:

SENATE CHAMBER,
February 19, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title IV of the revision, and to respectfully inform you that the Senate have passed the same to a third reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Also, to respectfully inform the House that the Senate have concurred in the report of the committee of conference upon the disagreement between the two houses upon the 8th amendment made by the Senate to titles I and II of the revision, and have receded from their said amendment.

Respectfully, &c.
JAS. E. PLATT,
Secretary of Senate.

Titles I and II were ordered to be enrolled, and,

On motion of Mr. Hazelton,

Title IV with the amendments were laid on the table.

Mr. Barbour gave notice that he should, at some future day ask leave to introduce a bill to authorize the Commissioner of the State Land Office to sell to the trustees appointed to locate a burying ground in the west part of the township of Pennfield, Calhoun county, two acres of land to be used for a burying ground, to be situated on the north half of section 16.

On motion of Mr. Hazleton,

The "bill to incorporate the Corunna and Northampton Turnpike Company," with the amendments, was then taken from the table and placed on the general order.

Mr. Sanborn gave notice that on some future day he should ask leave to introduce a bill to reattach certain territory to the county of Lapeer.

On motion of Mr. Jones,

The House went into committee of the whole on the special order, being the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," Mr. Webster in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. O'Malley,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Noble moved that the consideration of the special order be postponed until to-morrow morning, which motion was lost.

On motion of Mr. Patterson,

The House resolved itself into committee of whole on the special order, being the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company," Mr. Webster in the chair, and after some time spent thereon, the com-

mittee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Andrews, the House adjourned.

Saturday, February 21, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. A. C. Baldwin, Hand, Leland, Ord, Sweeney and Ten Eyck, were absent on leave, and Messrs. Chubb, Leach, T. Lewis, Moran, O'Malley, Pierce and Sanborn, absent without leave.

Mr. Patterson, from the committee on ways and means, reported a "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, on lands in the township of Ogden, Lenawee county," which was read twice, and referred to the committee of the whole.

Also, reported back the Senate "bill to equalize the valuation of property between the several counties, and to establish its minimum for purposes of taxation," without amendment, and recommended its passage.

The bill was referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,
Friday, February 20, 1846.

To the Speaker of the House of Repesentatives:

SIR:—I am instructed by the Senate to transmit a "bill to provide for the payment of John Ball and others," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also, to respectfully inform the House that the Senate have concurred in the House amendments to the "bill to amend the charter of the city of Detroit," and have ordered the bill as amended to be enrolled.

Also, to return title VIII and IX, of the revision, and to respectfully inform the House that the Senate have passed the same to a third

reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The "bill to provide for the payment of John Ball and others," was read twice and referred to the committee on claims.

On motion of Mr. Toll,

Titles VIII and IX of the proposed revision, with the Senate amendments thereto, were laid on the table.

Mr. Toll gave notice, that on some future day, he should ask leave to introduce a bill to authorize William Laird and Sarah Bliss, administrator and administratrix of the estate of Weston W. Bliss, deceased, late of St. Joseph county, to execute a mortgage upon certain land.

The House then resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company," Mr. Webster in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Groves,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Groves asked and obtained leave of absence for Mr. Moran till Thursday next.

The following message was received from the Senate:

SENATE CHAMBER,
February 21, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill to amend an act approved March 11, 1844, entitled an act to amend an act granting to certain debtors to the state the privilege of paying the state in state bonds, &c., approved February 11, 1842," which the

Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

J. E. PLATT,

Sec'y of Senate.

The bill transmitted from the Senate was read twice and referred the committee on the judiciary.

The following communication was announced by the Speaker:

To the Hon. the House of Representatives

of the State of Michigan:

The undersigned respectfully invite the members of the House of Representatives to be present at the Presbyterian Church on Monday, the 23d instant, at half past ten o'clock A. M., to hear an oration in celebration of Washington's birth day, and also to witness the presentation of a banner to the Scott Guards.

Major Ruehle of the first battalion of the Frontier Guards, has politely tendered the services of his command to act as an escort from the capitol, of the Governor, Lieutenant Governor, heads of departments, Senate and House on the occasion.

B. F. H. WITHERELL,

HENRY LEDYARD,

Chairmen of the respective committees of arrangement.

On motion of Mr. Walker the invitation was accepted by the House.

Mr. Walker offered the following resolution:

Resolved, That when this House adjourns, it will adjourn to meet at half past eight o'clock, on Monday morning.

Mr. Ames moved to lay the resolution on the table, which motion was lost.

Mr. Hand moved to amend the resolution by striking out the words "half past eight" and inserting "nine" which motion was lost.

The question then recurring on the adoption of the resolution, it was adopted.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole, on the "bill to authorize the sale of the Central Railroad, and to incorporate the

Michigan Central Railroad company," Mr. Webster in the chair, and after some time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Cole, the House adjourned.

Monday, February 23, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Leland, Moran, Ord, Sweeney and Ten Eyck, were absent on leave, and Messrs. Ames, Leach, T. Lewis, O'Malley, Patterson and Pierce absent without leave.

The journal of Saturday was read and approved.

Mr. Dunham, from the committee on claims, reported back the Senate "bill to provide for the payment of John Ball and others," without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole and placed on the general order.

Mr. Noble, from the committee on the judiciary, reported back the Senate "bill to amend an act approved March 11, 1844, entitled an act to amend an act granting to certain debtors to the state the privilege of paying the state in state bonds, &c., approved February 11, 1842," without amendment, and recommended its passage.

The report was accepted, and the bill taken up in the House, ordered to a third reading, read the third time and passed.

The House then resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company," Mr. Webster in the chair, and after a short time spent thereon the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Dunham, the committee of the whole were discharged from the consideration of the "bill to provide for the payment of John Ball and others," and,

On motion of Mr. Hazleton, the bill was laid on the table.

On motion of Mr. Barbour the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Barbour, the House resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," Mr. Webster in the Chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Cole, the House adjourned.

Tuesday, February 24, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Hand, Leland, Moran, Ord, Sweeney and Ten Eyck, were absent on leave, and Messrs. Chubb, Hawley, Hollister and Toll were absent without leave.

PETITIONS PRESENTED.

By Mr. Sanborn, of James H. Andrews and eighty-nine other legal voters of the village of Newburg and town of Bristol, Lapeer county, for the change of the name of said village; referred to the committee on the organization of townships and counties.

By Mr. Rice, two several petitions of citizens of Lenawee county, for the vacating of a part of the village plat of the village of Blissfield, in said county; referred to the committee on banks and incorporations.

By Mr. Webster, of citizens of St. Clair, Lapeer, Oakland and Shiawassee counties for a state road from the village of Palmer, to the village of Corunna; referred to the committee on roads and bridges.

By Mr. W. Lewis, of citizens of Barry county for the sale of the public works; referred to the select committee on that subject.

By Mr. Scott, of John Avery and other citizens of Clinton county, for the repeal of an act authorizing the construction of a wagon

road on the line of the northern railroad; referred to the committee on roads and bridges.

By Mr. Ransom, two several petitions of citizens of Allegan and Kalamazoo counties, for the improvement of the navigation of the Kalamazoo river: referred to the committee on internal improvement.

The following communication was received from the Executive:

EXECUTIVE OFFICE,
Detroit, February 23, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to provide for the re-assessment of certain non-resident highway tax of eighteen hundred and forty-five, of the township of Royalton in Berrien county."

ALPHEUS FELCH.

The House then resolved itself into committee of the whole on the special order, being "the bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," and after some time spent thereon the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. O'Malley, the House adjourned.

Afternoon Session.

The House met pursuant to adjournme was called to order by the Speaker.

On motion of Mr. A. C. Baldwin,

The House resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company," Mr. Webster in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Cole, the House adjourned.

Wednesday, February 25, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Pilcher.

On calling the roll, Messrs. Blair, Hand, Moran, Ord and Ten Eyck were absent on leave, and Messrs. Ames, O'Malley and Toll were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Chubb, of Lydia Ann Storm, James T. Stone and John R. Willcoxson, for authority to dispose of certain real estate; referred to the committee on the judiciary.

By Mr. Sweeney, of Philo Wilson and seventy-two other inhabitants of Lenawee county, for a sale of the public works; referred to the select committee on that subject.

Also, of Samuel Gregg and others, for an alteration of the tax laws; referred to the committee on ways and means.

By Mr. Hazleton, of Thomas Clark and other inhabitants of Genesee county, for the construction of a certain state road; referred to the committee on roads and bridges.

By Mr. T. Lewis, two remonstrances of citizens of Wayne county, against the proposed division of said county; laid on the table.

By Mr. Walker, of citizens of Macomb county, for the leasing of the Clinton and Kalamazoo Canal; referred to the committee on the sale of the public works.

Mr. Hawley, from the committee on banks and incorporations, reported a "bill to amend an act entitled an act to incorporate the Cottonwood Swamp Turnpike Company, approved March 9, 1844; also to repeal an act amendatory to the aforesaid act, approved March 24, 1845," which was read twice, referred to the committee of the whole, placed on the general order, and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,
February 24, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill to incorporate the Adrian Joint-stock Church company," which the Senate have

passed, and to respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The "bill to incorporate the Adrian Joint stock Church Company" was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Hazleton, the Senate "bill to provide for the payment of John Ball and others," was taken from the table, and on his motion, the first section was stricken out.

The bill was then ordered to a third reading, read the third time and passed.

The question then being on the title, it was, on motion of Mr. Dunham,

Amended so as to read "a bill to provide for the payment of Dennis, Thomas and Wood."

The House then resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," Mr. Webster in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Davis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Kennedy asked and obtained leave of absence for Mr. Scott for the afternoon.

On motion of Mr. Walker, the House resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," Mr. Webster in the chair, and after some time spent theron the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Noble,

The House adjourned.

Thursday, February 26, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Blair, Moran, Noble and Ten Eyck were absent on leave, and Messrs. Chubb, Dunham, T. Lewis, Rice and Sprague absent without leave.

The journal of yesterday was read and approved.

Mr. Davis asked and obtained leave of absence for Mr. Dunham until Tuesday morning.

Mr. Wakeman for Mr. Rice for the day.

Mr. Palmer for Mr. Sprague for an indefinite time, on account of sickness.

PETITIONS PRESENTED.

By Mr. Toll, of Silas Hopkins and forty-five other citizens of Hillsdale county, for the sale of the public works; referred to the select committee on that subject.

By Mr. Hawley, of George W. Moore and other citizens of Wayne county, for the abolition of the district court in said county; referred to committee on the judiciary.

By Mr. Ransom, of H. B. Huston and two hundred other citizens of Kalamazoo county, relative to the construction of locks on the Kalamazoo river; referred to the committee on the judiciary.

By Mr. Morse, of John C. Blanchard and one hundred and eighty other citizens of Ionia county, for an appropriation of land to reconstruct the bridge at Lyons, in said county; referred to the committee on roads and bridges.

Also, of inhabitants of a portion of the township of Cortland, in Kent county, for the attaching of certain territory to the township of Plainfield in said county; referred to the committee on the organization of townships and counties.

Also, of Samuel P. Hodges for the allowance of a certain claim. Referred to the committee on claims.

By Mr. C. Baldwin, of John W. Willcox, for payment of damages sustained by the construction of the Clinton and Kalamazoo canal; referred to the committee on claims.

By Mr Wakeman, of Edward Smith and seventy-four other citi-

zens of Jackson county, for an amendment of the license law; referred to the committee on the judiciary.

Also, the memorial of J. H. Titus, for the privilege of leasing the Central Railroad; laid on the table and ordered to be printed.

Mr. Hawley, from the committee on banks and incorporations, reported a "bill to vacate a part of the village plat of the village of Blissfield, Lenawee county," which was read twice, referred to the committee of the whole, and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,
February 25, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to provide for the payment of John Ball and others," and to respectfully inform you that the Senate have non-concurred in the amendments thereto.

Also to return title X of the revision, and to respectfully inform you that the Senate have passed the same to a third reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Respectfully, &c.

JAS. E. PLATT,
Secretary of Senate.

On motion of Mr. A. C. Baldwin,

Title X of the proposed revision, together with the Senate amendments thereto, was laid on the table.

On motion of Mr. Hazleton, the House insisted on their amendments to the "bill to provide for the payment of John Ball and others," and ordered the appointment of a committee of conference on said disagreement, on the part of the House, and asked the appointment of a like committee on the part of the Senate.

The Speaker appointed as such committee, on the part of the House, Messrs. Hazleton, A. C. Baldwin and Ames.

Mr. A. C. Baldwin gave notice that on some future day he should ask leave to introduce a bill to incorporate the "Milford Milling and Manufacturing Company."

The House then resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate

the Michigan Central Railroad company," Mr. Webster in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Davis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole on the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," Mr. Webster in the chair.

And after some time spent thereon the committee rose, and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. A. C. Baldwin,

The House adjourned.

Friday, February 27, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Dunham, Hand, Noble, Sprague and Ten Eyck were absent on leave, and Messrs. Ord, Patterson and Sanborn absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Hazleton, of Benj. Bowers, and other citizens of Genesee county against the organization of a certain township; laid on the table.

By Mr. Morse, of Eliab Walker and others, for authority to be given James Burroughs to erect a dam across Flat River, in Kent county; referred to the committee on the judiciary.

By Mr. Peck, of John Smith, for a change of name; referred to the committee on federal relations.

By Mr. Cook, of citizens of Hillsdale county, for the passage of a law for the laying out of a certain state road; referred to the committee on roads and bridges.

REPORTS.

Mr. Hawley, from the committee on banks and incorporations, reported back to the House the Senate "bill to incorporate the Adrian Joint Stock Church Company," without amendment, and recommended its passage.

The report was accepted, the bill referred to the committee of the whole and placed on the general order.

Mr. Morse, from the select committee to whom was referred the "bill to incorporate the Grand Rapids Fountain Company," with instructions, reported the same back with sundry amendments, and the bill and amendments were referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER,
February 26, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "joint resolution relative to the selection of public lands," which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of Senate.

The "joint resolution relative to the selection of public lands" was read twice and referred to the committee on federal relations.

On motion of Mr. Kennedy,

The memorial of J. H. Titus relative to leasing the Central Railroad was taken from the table, and referred to the committee on ways and means.

Mr. A. C. Baldwin, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Milford Milling and Manufacturing Company," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Sweeney gave notice that on some future day, he should ask leave to introduce a joint resolution in relation to the Wesleyan seminary at Albion.

On motion of Mr. Hawley,

The petitions and remonstrances relative to the proposed division of Wayne county, were taken from the table, and referred to the select committee to whom the bill relative to the same subject was referred.

The "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company," was then taken up by the House, and the question being on concurring in the amendments made by the committee of the whole,

The first amendment, striking out the words "but if sued at law, it shall only be in a court of record," in the twelfth line of the first section, was non-concurred by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Peck,	
A. C. Baldwin,	Groves,	Sweeney,	
Cook,	Hawley,	Thomas,	
Davis,	Kennedy,	Toll,	
Edmunds,	W. Lewis,	Wakeman,	
Giddings,	Morse,	Wing,	
Glen,	Ord,		20

NAYS.

Mr. Ames,	Mr. Hollister,	Mr. Pierce,	
Barbour,	Jones,	Ransom,	
Barrett,	Leland,	Rice,	
Blair,	Leach,	Sanborn,	
Brotherson,	McDonald,	Scott,	
Chubb,	Moran,	Walker,	
Cole,	Palmer,	Webster,	
Hand,	Parsons,	Speaker,	
Hazleton,	Patterson,		26

So the words were retained.

On motion of Mr. Cole,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The consideration of the amendments made in committee of the

whole to the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," was resumed, and the second, third, fourth, fifth and sixth amendments were severally concurred in by the House.

The seventh amendment striking out of the eleventh and twelfth lines of section four, the words "four hundred and thirty-one dollars and thirty and a half cents," and striking out of the fourteenth line of the same section, the words "three hundred and twenty-three dollars and twenty-two cents," and inserting in both of those places, "three hundred and seventy-seven dollars and thirty-three cents."

Mr. Walker moved to amend the amendment by inserting in eleventh and twelfth lines, the words "four hundred and seventeen dollars and fifty-five cents and six mills," and in the fourteenth line the words "three hundred and twelve dollars and ninety-one cents and seven mills," which motion was lost by the following vote:

YEAS.

Mr. Blair,	Mr. Hazleton,	Mr. Parsons,	
Brotherson,	Jones,	Pierce,	
Chubb,	Leland,	Rice,	
Cole,	Leach,	Sanborn,	
Edmunds,	W. Lewis,	Toll,	
Hand,	Palmer,	Walker,	18

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Patterson,	
Andrews,	Graham,	Peck,	
A. C. Baldwin,	Hawley,	Sweeney,	
C. Baldwin,	Hollister,	Thomas,	
Barbour,	Kennedy,	Wakeman,	
Barrett,	Moran,	Webster,	
Cook,	Morse,	Wing,	
Davis,	Noble,	Speaker,	
Giddings,			25

The question then recurring on the amendment proposed by the committee of the whole, it was concurred in by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,	
Andrews,	Hawly,	Peck,	
A. C. Baldwin,	Hollister,	Sweeney,	
C. Baldwin,	Kennedy,	Thomas,	
Barbour,	W Lewis,	Wakeman,	
Barrett,	Moran,	Webster,	
Cook,	Morse,	Wing,	
Giddings,	Noble,	Speaker,	
Glen,			25

28

NAYS.

Mr. Blair,	Mr. Hazelton,	Mr. Pierce,	
Brotherson,	Jones,	Rice,	
Cole,	Leland,	Sanborn,	
Davis,	Leach,	Toll,	
Edmunds,	Palmer,	Walker,	
Hand,	Parsons,		17

The eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, and twenty-third amendments were then severally concurred in.

The twenty-fourth amendment being under consideration, Mr. Hand offered the following substitute therefor which was adopted:

"Or a judge of the supreme court, previous notice of such application having been given to the owner or occupyer of the land to be taken, either by personal service of such notice three days before making such application, or by public advertisement for three weeks previous to such application, in some newspaper printed in the same county, if there be one; and if there be none so printed in the same county then such notice to be published in a newspaper printed in an adjoining county, if there be any newspaper printed in an adjoining county, and if there be no paper so printed in any adjoining county, such notice to be published in the state paper, if there be one, and if there be none, then in some newspaper printed in the city of Detroit, such notice to describe the land proposed to be taken by the company, or touching which damages are to be assessed, by the section and quarter section, or if in a city or village, by the section, block and number of the lot, or by some other suitable and proper description; and any irregularity or defect touching such notice shall be taken advantage of in showing cause against the confirmation of the assessment or inquisition of damages had or found and not otherwise; and evidence of the publication of such notice may be perpetuated by an affidavit duly made by the printer or publisher of the newspaper in which such notice was published, and such affidavit to be made within three months after the last publication of such notice, shall be prima facie evidence of the facts therein set forth, and the commissioner or judge to whom such application shall be made."

The amendment, as amended, was concurred in.

The twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth amendments were severally concurred in.

The thirtieth amendment, which is an additional section, being under consideration, Mr. Hand offered the following substitute for the last proviso thereto:

Provided further, That whenever there is at the present time, any turn out upon the line of the Central Railroad to any ware house or ware houses, mill or mills, said company shall not, except in the city of Detroit, discontinue any such turn out as long as any such ware houses or mills shall continue to be occupied for purposes of warehousing or milling business respectively, without the consent of the proprietor or proprietors of such ware house or ware houses, mill or mills.

Which substitute was rejected by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Hazleton,	Mr. Ransom,	
Barbour,	Jones,	Sanborn,	
Barrett,	W. Lewis,	Scott,	
Chubb,	Morse,	Thomas,	
Cole,	Palmer,	Walker,	
Davis,	Patterson,	Webster,	
Hand,	Pierce,	Wing,	21

NAYS

Mr. Andrews,	Mr. Graham,	Mr. Noble,	
A. C. Baldwin,	Groves,	Parsons,	
Blair,	Hawley,	Peck,	
Brotherson,	Hollister,	Rice,	
Cook,	Kennedy,	Sweeney,	
Edmunds,	Leland,	Toll,	
Giddings,	Leach,	Wakeman,	
Glen,	Moran,	Speaker,	24

On motion of Mr. Rice, the House adjourned.

Saturday, February 28, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

On calling the roll, Messrs. Dunham, Hand, Noble, Sprague, and Ten Eyck were absent on leave, and Messrs. Ames, Morse, and Ord were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

Mr. Sanborn presented the petition of Jonathan Silsbury and 20 other legal voters of the township of Morathon, Lapeer county, for the organization of a new township; referred to the committee on the organization of townships and counties.

Mr. Scott presented the petition of Daniel H. Blood, for an appropriation on the Shiawassee river; referred to the committee on internal improvement.

On motion of Mr. Peck,

Resolved, That when this House adjourn, it will adjourn to meet on Monday morning, at the usual hour.

The House then took up the "bill to authorize the sale of the Central Rail Road, and to incorporate the Michigan Central Rail Road Company," together with the amendments made thereto by the committee of the whole.

Mr. C. Baldwin moved a reconsideration of the vote by which the House yesterday concurred in the seventh amendment made to the bill by the committee of the whole, which motion prevailed by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Hazleton,	Mr. Parsons,	
Barbour,	Hollister,	Peck,	
Barrett,	Jones,	Pierce,	
Blair,	Leland,	Ransom,	
Brotherson,	Leach,	Rice,	
Chubb,	W. Lewis,	Sanborn,	
Cole,	McDonald,	Scott,	
Davis,	Moran,	Thomas,	
Edmunds,	Morse,	Toll,	
Giddings,	O'Malley,	Walker,	
Groves,	Ord,	Webster,	
Hand,	Palmer,	Wing,	36

NAYS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,	
Andrews,	Hawley,	Sweeney,	
Cook,	Kennedy,	Wakeman,	
Glen,	T. Lewis,	Speaker,	12

On motion of Mr. C. Baldwin,

The vote was reconsidered by which the House yesterday rejected the amendment offered by Mr. Walker to the seventh amendment

made by the committee of the whole, which amendment to the amendment was as follows, viz: strike out in the eleventh and twelfth lines and also out of the fourteenth line of section four, the words "three hundred and seventy-seven dollars and thirty-three cents," and insert in the eleventh and twelfth lines, the words "four hundred and seventeen dollars and fifty-five cents and six mills," and in the fourteenth line, insert the words "three hundred and twelve dollars and ninety-one cents and seven mills."

The question then recurring on the amendment to the amendment it was adopted by yeas and nays as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Hazleton,	Mr. Peck,
C. Baldwin,	Hollister,	Pierce,
Barbour,	Jones,	Ransom,
Barrett,	Leland,	Rice,
Blair,	Leach,	Sanborn,
Brotherson,	W. Lewis,	Scott,
Chubb,	McDonald,	Thomas,
Cole,	Moran,	Toll,
Davis,	Morse,	Walker,
Edmunds,	O'Malley,	Webster,
Giddings,	Palmer,	Wing,
Hand,	Parsons,	35

NAYS.

Mr. Ames,	Mr. Kennedy,	Mr. Patterson,
Andrews,	T. Lewis,	Sweeney,
Cook,	Noble,	Wakeman,
Glen,	Ord,	Speaker,
Graham,		13

The seventh amendment as amended was then concurred in.

The thirty-first amendment. which is an additional section, to stand as section nineteen, being under consideration,

On motion of Mr. Hand,

The following was added to the end of the section:

"And for the non-performance of said company of any act by this proviso required to be done, said company shall forfeit and pay to the party aggrieved the sum of fifty dollars, to be recovered in an action of debt."

The amendment as amended, was then concurred in.

The thirty-second amendment was concurred in, and the thirty-third amendment being under consideration, it was,

On motion of Mr. Hand, amended by inserting after the word "nails," the words "in kegs," and the amendment as amended was concurred in.

The thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth and forty-sixth amendments were then severally concurred in.

The forty seventh amendment being under consideration, it was,

On motion of Mr. Walker, amended by inserting after "steamboats," the words "or other vessels," and the amendment as amended was then concurred in.

The forty-eighth, forty-ninth, fiftieth, fifty-second, fifty-fourth, fifty-fifth and fifty-sixth amendments were severally concurred in; and the fifty-first and fifty third amendments were severally non-concurred in.

The amendments made in committee of the whole, having all been acted on, and the bill being open for amendment,

On motion of Mr. Walker, the first line of section thirty-four was amended by inserting after the words "per cent" the words "upon the capital stock paid in."

Mr. Noble moved to amend the third line of section thirty-four, by inserting after the word "state" the words "and all the real and personal estate and property of said corporation, shall, for the purposes of taxation under this section, be deemed capital stock paid in."

Mr. Hand moved to amend the amendment, by inserting after the word "all," the words "moneys invested in," which motion prevailed, and the amendment as amended, was then rejected by the House.

Mr. Noble moved to amend section two as follows:

In the second line, after the word "company" insert the words "all the right, title and interest of the state which it is competent for the state to convey;" and in the fourth line, before the word "all" insert "all right, title and interest of the state, which it is competent for the state to convey;" and in the twelfth line, after the words "entitled to," insert all the interest and title of the state, which the state is competent to convey," and the corresponding amendments in the twenty-first and twenty-fifth lines, and a corresponding change in all the language of said section, which guaranties the title to said company,

of the Railroad and rights of way, and add at the end of the said section, "provided always that the state shall in no case be liable for any defect of title to said road and its appurtenances, or for any defect in, or want of, rights of way to the whole or any part of the same, nor shall the state be held liable to said corporation in any way or manner, by reason of any reversion to the original owners of the land in this section referred to, or any part thereof."

Mr. Walker offered the following as a substitute for the amendment:

Insert after the word "company," in the second line of the section, the words "all the right, title and interest of the state in and to," and also insert the same words after the word "thereafter," in the twenty-first line; which substitute was adopted, and the amendment as amended prevailed.

On motion of Mr. Hand,

The fourteenth line of section three was amended by inserting after the word "same," the words and all the corporate franchises hereby granted, shall then and thereafter become and be null and wholly revoked."

On motion of Mr. Hand,

The fourteenth line of section two was amended by inserting after the word "aforesaid," the following: "and except also, that any person who may own any building upon lands belonging to the state, on the line of the Central Rail Road, which land may be transferred to said company under this act, may dispose of or take away such buildings within three months after such transfer."

On motion of Mr. Hand,

The eleventh line of section twenty-two was amended by inserting after the word "from," the words "some point not more than six thousand feet from the termination of Woodward Avenue, upon the Detroit river in."

On motion of Mr. Hand,

Section thirty-seven was was amended by adding the following proviso thereto:

"*Provided*, That when in this act provision is made for a penalty to accrue for the doing or not doing any act, said company shall in no wise be prejudiced by the doing or not doing of such act, excepting the enforcement of such penalty."

On motion of Mr. Walker,

The seventeenth line of section thirty-seven was amended by inserting after "United States," the words "and thereupon the corporate powers and franchises of said company shall wholly cease."

On motion of Mr. Hand,

The words "except as hereinbefore provided" were inserted after the word "pay," in the second line of section four.

Mr. Noble moved to add the following proviso to section seven:

Provided, That in all cases before the said corporation shall appropriate to their own use any of the personal or real estate of any individual or person, the damages shall be assessed as is herein provided; and the damages so assessed shall be paid or tendered to the person or persons, in whose favor the same are so assessed, or to his lawful agent or attorney, or in case such person is a non-resident, or is a minor, insane, or femme covert, then the same may be paid into the court where the inquisition, provided for by this act, is filed.

Which proviso was rejected by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Ord,	
Andrews,	Groves,	Peck,	
A. C. Baldwin,	Hawley,	Toll,	
Barbour,	Kennedy,	Wakeman,	
Cook,	T. Lewis,	Speaker,	
Glen,	Noble,		17

NAYS.

Mr. Barrett,	Mr. Hollister,	Mr. Pierce,	
Blair,	Jones,	Ransom,	
Brotherson,	Leland,	Rice,	
Chubb,	Leach,	Sanborn,	
Cole,	W. Lewis,	Scott,	
Davis,	Moran,	Sweeney,	
Edmunds,	O'Malley,	Thomas,	
Giddings,	Palmer,	Walker,	
Hand,	Parsons,	Webster,	
Hazleton,	Patterson,	Wing,	30

Mr. Noble offered the following to stand as an independent section:

Sec. —. This act of incorporation shall be referred to the people at their next annual township meetings for their approval or rejection.

Which section was rejected by yeas and nays, as follows:

YEAS.

Mr Ames,	Mr. Hawley,	Mr. Ord,	
Andrews,	Kennedy,	Peck,	
Cook,	T. Lewis,	Speaker,	
Graham,	Noble,		11

NAYS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Pierce,	
Barbour,	Hollister,	Ransom,	
Barrett,	Jones,	Rice,	
Blair,	Leland,	Sanborn,	
Brotherson,	Leach,	Scott,	
Chubb,	W. Lewis,	Sweeney,	
Cole,	McDonald,	Thomas,	
Davis,	Moran,	Toll,	
Edmunds,	O'Malley,	Wakeman,	
Giddings,	Palmer,	Walker,	
Glen,	Parsons,	Webster,	
Groves,	Patterson,	Wing,	36

Mr. Noble offered the following to stand as an additional section:

Section —. The legislature shall have at all times the right to modify, alter, or repeal this act: Provided, that no repeal shall be had except for a violation of the same, and upon due notice given to said corporation, and right to a hearing before the legislature on the question of violation.

Which section was rejected by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Peck,	
Cook,	Kennedy,	Toll,	
Glen,	T. Lewis,	Wakeman,	
Graham,	Noble,	Speaker,	14
Groves,	Ord,		

NAYS.

Mr. Ames,	Mr. Hazleton,	Mr. Patterson,	
A. C. Baldwin,	Hollister,	Pierce,	
Barbour,	Jones,	Ransom,	
Barrett,	Leland	Rice,	
Blair,	Leach,	Sanborn,	
Brotherson,	W. Lewis,	Scott,	
Chubb,	McDonald,	Sweeney,	
Cole,	Moran,	Thomas,	
Davis,	O'Malley,	Walker,	
Edmunds,	Palmer,	Webster,	
Giddings,	Parsons,	Wing,	
Hand,			34

29

On motion of Mr. Hand, the words "in the state of Michigan" were inserted after the words "some point," in section five.

Mr. Noble moved to amend the thirtieth line of section seven, by inserting after "damages" the following:

"Each party shall have the right to introduce witnesses before said jury of inquest, and the said jury shall not take into consideration, in their estimate of said damages, and benefits or supposed benefits, which the said owners of any lands may derive directly or indirectly, from the construction of said Railroad,"

Which motion was lost.

Mr. Kennedy offered the following proviso to section thirteen:

Provided, said company or its agents, shall receive for the transportation of passengers and freight as aforesaid, specie currency or current bank bills, which are at par value in the exchange market of the city of New York or Boston, deducting the current rates of exchange between Detroit and said New York or Boston market; and disburse the same only in payment of their liabilities incurred in their ordinary business upon said road—and in constructing the same and operating upon and conducting said Railroad, within the state of Michigan.

Which proviso was rejected by the following vote:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. O'Malley,
Andrews,	Kennedy,	Ord,
A. C. Baldwin,	T. Lewis,	Peck,
Barbour,	W. Lewis,	Toll,
Cook,	Moran,	Wakeman,
Glen,	Noble,	Speaker,
Graham,		19

NAYS.

Mr. Barrett,	Mr. Hollister,	Mr. Ransom,
Blair,	Jones,	Rice,
Brotherson,	Leland,	Sanborn,
Chubb,	Leach,	Scott,
Cole,	McDonald,	Sweeney,
Davis,	Palmer,	Thomas,
Giddings,	Parsons,	Walker,
Groves,	Patterson,	Webster,
Hand,	Pierce,	Wing,
Hazelton,		28

Mr. Andrews moved an adjournment, but the House refused to adjourn.

Mr. Hawley moved to amend the third line of section thirty-three, by inserting after the word "construction," the following: "together with the value of all furniture and other real or personal property connected," which motion was lost.

Mr. Noble moved to amend the sixth and seventh lines of section eighteen, by striking out the words "as to it shall seem proper," and also, the word "such," and insert "not exceeding an amount which shall be at least fifteen per cent. less than the average charges of the combination boats or vessels in the year 1845, on Lake Erie," which motion was lost.

Mr. Noble moved to amend section sixteen, by striking out the twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh lines, and insert in lieu thereof the following:

"The Legislature may after the expiration of five years from the time when said railroads shall be completed to Lake Michigan from time to time reduce and fix the rate of tolls or other profits of said corporation; but the tolls shall not without the consent of said corporation be so reduced as to produce together with said profits less than ten per cent per annum on the actual capital paid for said road and expended in the construction and extension of same, and for the cars, locomotives and other materials on the road, and depots, buildings and appendages; which motion was lost.

Mr. Noble moved to strike out the second sub-division of section four, and all that authorizes the payment by said corporation to the state of the purchase money of said railroad, in the unrecognized or unadjusted bonds of this state, now held by the United States Bank, or on its account, which motion was decided in the negative by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. T. Lewis,
Cook,	Kennedy,	Noble,
Graham,		7

NAYS.

Mr. A. C. Baldwin,	Mr. Jones,	Mr. Ransom,
Barbour,	Leland,	Rice,
Barrett,	Leach,	Sanborn,
Blair,	W. Lewis,	Scott,
Chubb,	McDonald,	Sweeney,
Cole,	Moran,	Thomas,

Davis,	O'Malley,	Toll,
Giddings,	Palmer,	Wakeman,
Glen,	Parsons,	Walker,
Groves,	Patterson,	Webster,
Hand,	Peck,	Wing,
Hazelton,	Pierce,	Speaker,
Hollister,		37

Mr. Noble moved to amend section seventeen by striking out the whole of said section to the word "provided" in the eighth line, and all thereafter which authorizes the company to charge and collect storage, and also in the tenth line strike out the words "as warehousemen and not," which motion was lost.

Mr. Noble moved to amend section twenty five, by striking out the word "may," in the first line, and inserting "shall," and in the seventh line, after the word "apportioned," insert rateably and proportionably, among all the subscribers thereto," and strike out the words "in such manner as may be deemed most beneficial to the company," and add at the end of said section, "and any and all of the creditors of this state, whensoever or wheresoever, shall have the right to become subscribers to said capital stock under the regulations aforesaid."

Which motion was lost.

Mr. Noble moved to amend section five by striking out the thirtieth, thirty-first, thirty-second, thirty-third and thirty-fourth lines, and so much of said section as prohibits the state forever from taking or authorizing to be taken for any public use whatever, any portion of the lands of said corporation, which motion was lost.

Mr. Noble offered the following, to stand as an independent section:

"Sec. — This act shall be favorably construed in all courts, and especially in favor of said corporation."

Which section was rejected by the House.

Mr. Andrews moved to amend section five by striking out all after the word "Kalamazoo," in line six, to the word "and," after the word "Michigan," in line seven, and insert the words "and Paw Paw, to some point on Lake Michigan, at or near the village of St. Joseph, in the county of Berrien," which motion was lost.

Mr. Andrews moved to amend section five by striking out of lines eight and nine, the words "or of animals, or of any mechanical or other powers, or any combination of them, which said company may choose to use or apply," which motion was lost.

Mr. Andrews moved to strike out section eighteen of the bill, which motion was lost.

On motion of Mr. Peck,

The following proviso was inserted in section twenty-five:

Provided, Notice of the time of opening such books in the city of Detroit shall be published in some daily newspaper printed in Detroit, for fifteen days next preceding the time for such opening."

On motion of Mr. Walker,

The bill was laid on the table, and four hundred extra copies ordered to be printed as amended.

On motion of Mr. Sweeney, the House adjourned.

Monday, March 2, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

On calling the roll, Messrs. A. C. Baldwin, Blair, Dunham Hand, Noble, Sprague and Ten Eyck, were absent on leave, and Messrs. C. Baldwin, Chubb, Edmunds, Hazelton, Leach, Morse, Parsons and Sanborn were absent without leave.

Mr. Leland asked and obtained leave of absence for Messrs. Edmunds and Parsons for the day.

Mr. Barrett for Mr. C. Baldwin for an indefinite time.

Mr. Davis for Mr. Morse for the day.

PETITIONS PRESENTED.

By Mr. Barbour, of one hundred and seventy citizens of Calhoun county, asking the insertion of a clause in the bill for the sale of the Central rail-road, prohibiting the company from using the road on the Sabbath; referred to the select committee on the sale of the public works.

Also several remonstrances of citizens of Calhoun, Barry and Kent counties, against the repeal of the law authorizing the laying out of a state road from Battle Creek to Grand Rapids, and for other purposes; referred to the committee on roads and bridges.

By Mr. W. Lewis, a remonstrance of Peter A. Keeler and twenty-six other inhabitants of the county of Barry, against the laying out

of a certain state road; referred to the committee on roads and bridges.

By Mr. Groves, the petition of eighteen citizens of Berrien county, for a sale of the public works; referred to the select committee on that subject.

Mr. Peck, from the committee on federal relations, reported back the Senate "joint resolution relative to the selection of public lands" with an amendment.

The report was accepted, and the joint resolution and amendment were referred to the committee of the whole and placed on the general order.

The following communication was received from the Secretary of State:

SECRETARY OF STATE'S OFFICE,
February 28, 1846.

To the Speaker of the House of Repesesentatives:

SIR—I herewith transmit to the House of Representatives an abstract of the annual reports of the superintendents of the poor of the several counties of this state, so far as the same have been filed in this office.

Yours, respectfully,

G. O. WHITTEMORE,
Secretary of State.

On motion of Mr. A. C. Baldwin,

The document transmitted by the Secretary of State, was laid upon the table and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,
February 28, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that Senators Videto, Williams and Allen, have been appointed a commit tee of conference on the part of the Senate on the disagreement between the two Houses upon the "bill to provide for the payment of John Ball, and others."

Also, to transmit "joint resolutions relative to the leasing of mineral lands within the state of Michigan," which the Senate have adopted;

A "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids, in the county of Kent," approved March 12, 1845; and

A "bill to secure a pre-emption right of certain lands to John Gardiner," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also, to return the "bill to provide for the completion of the Central Railroad from Jackson to Kalamazoo," which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Respectfully, &c.

JAS. E. PLATT,

Secretary of Senate.

The "bill to secure a pre-emption right of the purchase of certain lands to John Gardiner," was read twice and referred to the committee on public lands.

The "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids, in the county of Kent," approved March 12, 1845, was read twice and referred to the committee on roads and bridges.

The "joint resolution relative to the leasing of mineral lands within the state of Michigan," was read twice and referred to the committee on federal relations.

The Senate amendments to the House "bill to provide for the completion of the Central Railroad from Jackson to Kalamazoo," being under consideration,

Mr. Hand moved to refer the bill and amendments to the committee on internal improvement, which motion was lost.

Mr. Toll moved to refer to the select committee on the sale of the public works, which motion was decided in the negative.

Mr. Toll moved to reconsider the vote by which the House refused to refer the bill and amendments to the committee on internal improvement, which motion was lost, and

On motion of Mr. Hawley,

The bill and amendments were laid on the table.

Mr. Barbour gave notice that on some future day he should ask leave to introduce a bill for the relief of persons on the university and common school lands, whose property has been taken for the use of the state.

Mr. Toll offered the following resolution:

Resolved, That the daily sessions of the House shall hereafter commince at nine o'clock in the morning, and at two o'clock in the afternoon.

On motion of Mr. Jones,

The resolution was amended by striking out "nine" and inserting "five."

Mr. A. C. Baldwin moved to add to the resolution, "and at seven o'clock in the evening," which motion was lost.

On motion of Mr. Hand,

The resolution was laid on the table.

On motion of Mr. Walker,

Titles III, IV, VIII, IX and X, of the revision together with the Senate amendments thereto, were taken from the table, and the question being on concurring in the amendments,

The first, second, fifth, eighth, ninth, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, eighteenth and nineteenth Senate amendments to title III were severally concurred in, and the third, sixth and seventh amendments were severally non-concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. McDonald,	
Barbour,	Hawley,	Rice,	
Davis,	Leland,	Scott,	
Giddings,	Leach,	Sweeney.	12

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr. Peck,	
A. C. Baldwin,	T. Lewis,	Pierce,	
Blair,	W. Lewis,	Thomas,	
Chubb,	Moran,	Toll,	
Cook,	Noble,	Wakeman,	
Glen,	O'Malley,	Walker,	
Graham,	Ord,	Webster,	
Groves,	Palmer,	Wing,	
Hollister,	Patterson,	Speaker,	27

The eleventh amendment was non-concurred in, and the seven-

teenth amendment being under consideration, it was concurred in with the exception of the thirty-third section, and the question being on concurring in the thirty-third section, it was non-concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Peck,
A. C. Baldwin,	Hollister,	Sweeney,
Barbour,	Moran,	Toll,
Cole,	O'Malley,	Wakeman,
Davis,	Palmer,	Walker,
Glen,	Patterson,	Wing,
Hand,		19

NAYS.

Mr. Barrett,	Mr. Leland,	Mr. Pierce,
Blair,	Leach,	Ransom,
Chubb,	T. Lewis,	Rice,
Cook,	W. Lewis,	Scott,
Giddings,	McDonald,	Thomas,
Graham,	Noble,	Webster,
Groves,	Ord,	Speaker,
Kennedy,		22

Mr. A. C. Baldwin moved a reconsideration of the vote by which the House concurred in the Senate ninth amendment, which motion was lost.

All the Senate amendments to title IV were then severally concurred in, and the bill ordered to be enrolled.

The first, second, third and fourth Senate amendments to title VIII were severally concurred in, and the fifth amendment being under consideration, it was,

On motion of Mr. Andrews,

Amended by striking out the whole of the same, except the thirty-ninth section, and inserting sections one, two, three and four of chapter thirty-six, as they were sent from the House.

On motion of Mr. Davis,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

The following message was received from the Senate:

SENATE CHAMBER,
Monday, March 2, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "joint resolution relative to 8th joint rule," which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Also, to return titles VI and VII of the revision, and to respectfully inform the House that the Senate have passed the same to a third reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of Senate.

The "joint resolution relative to the eighth joint rule," was read twice, referred to the committee of the whole, and placed on the general order.

The House then took up the Senate amendments to titles VI and VII, and the first, second, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeeth, nineteenth, twentieth, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, and twenty-eighth amendments were severally concurred in; and the third, fourth, eighteenth, twenty-first, twenty-second and twenty-third amendments were severally non-concurred in.

The Senate amendments to title IX was then taken up, and the first, second, third, fifth, sixth, seventh, eighth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twenty-first, twenty-seventh, and thirty-first amendments were severally concurred in, and the fourth, twentieth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-eighth amendments were severally non-concurred in.

On motion of Mr. Barbour,

It was ordered that a committee of conference be appointed on the part of the House, on the disagreement between the two Houses, on titles III, VI, VII, VIII, and X, of the proposed revision.

The Speaker appointed as such committee, Messrs. Barbour, Blair and Patterson.

The House then resolved itself into committee of the whole on the general order, Mr. Barbour in the chair, and after some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment, a "bill to incorporate the Adrian joint stock church company," and also reported back a "joint resolution relative to the selection of public lands," a "joint resolution relative to the state arms," a "bill to incorporate the Milford milling and manufacturing company," and a bill to vacate a part of the village plat of Blissfield, Lenawee county," to which they made sundry amendments, in which the concurrence of the House was asked.

The amendments to the "joint resolution relative to the selection of the public lands," being a substitute therefor, was concurred in and the joint resolution ordered to a third reading.

The amendments to the "joint resolution relative to the state arms," were concurred in, and,

On motion of Mr. Hand, it was further amended by inserting after the word "arms" the words "ordnance and military equipments."

The joint resolution as ameuded was then ordered to be engrossed and read the third time.

The amendments to the "bill to vacate a part of the village plat of Blissfield, Lenawee county," were concurred in, and the bill ordered to be engrossed for a third reading.

On motion of Mr. Hand, the "bill to incorporate the Adrian Joint Stock Church Company," was laid on the table.

The amendments to the "bill to incorporate the Milford Milling and Manufacturing Company," were concurred in.

On motion of Mr. Cook,

The following section was added to the bill:

"Sec. . The stockholders of the said company shall be individually liable for all the debts of said company."

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Hawley,

The House adjourned.

Tuesday, March 3, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

On calling the roll, Messrs. Blair, Dunham, Hand, Noble, Sprague and Ten Eyck were absent on leave, and Messrs. Ames, Andrews, Hazelton, T. Lewis, Moran, Parsons, Rice, Sanborn and Scott were absent without leave.

Mr. Chubb asked and obtained leave of absence for Mr. Hazelton for one day.

Mr. Leland for Mr. Parsons, for the day.

PETITIONS PRESENTED.

By Mr. Andrews, of citizens of Van Buren county, for the appropriation of certain non-resident highway taxes on the Paw Paw and Allegan road; referred to the committee on roads and bridges.

By Mr. Peck, of sundry citizens of the state of Michigan, for the insertion of a clause in the charter of Central Rail Road Company, prohibiting said company from using said road on the first day of the week; referred to the committee on the sale of the public works.

By Mr. Patterson, of sundry persons, for the same purpose; same reference.

By Mr. Hand, of E. P. Hastings and twenty-eight other citizens of Detroit, for the same purpose; same reference.

By Mr. A. C. Baldwin, of seventy-one citizens of Adrian, for the same purpose; same reference.

By Mr. Webster, of Isaac Carr and sixty-six other citizens of Oakland county, for a modification of the present license law; referred to the committee of the whole.

By Mr. Groves, of Jonathan Lamb, asking the legislature to sell him the Clinton and Kalamazoo Canal for the sum of one dollar and fifty cents; referred to the committee of the whole.

On motion of Mr. Peck,

Chapter forty-one, of title IX of the proposed revision, was taken from the table, and the consideration of the chapter was postponed until to-morrow.

On motion of Mr. Peck,

Resolved, That the use of the hall of the House of Representa-

tives for this evening. be tendered to Samuel W. Dexter, Esq., for the purpose of delivering an address on the subject of temperance, and the influence of the present license laws on that subject.

Mr. Barbour, in pursuance to previous notice, asked and obtained leave to introduce a "bill for the relief of persons on University or school land, whose property has been taken for the use of the state," which was read twice, and referred to the committee on internal improvement.

Mr. Sweeney, pursuant to previous notice, asked and obtained leave to introduce a "joint resolution in relation to the Wesleyan seminary at Albion," which was read twice and referred to the committee on education.

On motion of Mr. Cook,

The House went into committee of the whole on the proposed revision, Mr. Glen in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. C. Baldwin, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Glen in the chair.

And after some time spent thereon the committee rose and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Rice,

The House adjourned.

Wednesday, March 4, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Hand, Noble, Sprague and Ten Eyck, were absent on leave, and Messrs. Andrews, Cook, Graham, Groves, Hazleton, W. Lewis, Moran and Sanborn, were absent without leave.

Mr. McDonald asked and obtained leave of absence for Mr. Sanborn for the day.

PETITIONS PRESENTED.

By Mr. Blair, three several petitions of citizens of Jackson county, for the insertion of a clause in the charter of the Michigan Central Railroad company, as before the House, prohibiting the company from using the road on the first day of the week; referred to the select committee on the sale of the public works.

By Mr. T. Lewis, of citizens of Wayne county, for the same purpose; same reference.

By Mr. Barbour, of citizens of Calhoun county, for the same purpose; same reference.

By Mr. Hand, of citizens of Detroit, for the same purpose; same reference.

By Mr. Chubb, of five hundred and seventy-four citizens of Washtenaw county, for the passage of the bill before the House, for the sale of the Central Railroad; same reference.

By Mr. Morse, of David Irish and one hundred other citizens of Ionia county, for the incorporation of the Port Huron and Lake Michigan Railroad company; laid on the table.

By Mr. Brotherson, of Jesse P. Gillett, treasurer of the township of Sharon, Washtenaw county, for an extension of the time for return of delinquent taxes in said township; referred to the committee on ways and means.

REPORTS.

Mr. Leland, from the committee on roads and bridges, reported back to the House without amendment, the Senate "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids in the county of Kent, approved March 12, 1845," and recommended its passage.

The report was accepted; and the bill referred to the committee of the whole and placed on the general order.

Mr. Barbour, from the committee on internal improvement, reported back without amendment, the "bill for the relief of persons on university and school land, whose property has been taken by the state," and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole, and placed on the general order.

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to vacate a part of the village of Blissfield, Lenawee county," and the "joint resolution relative to the state arms."

Mr. Andrews from the committee on education, reported a "bill to provide for procuring the most approved plans for building school houses in the state of Michigan," which was read twice, referred to the committee of the whole and placed on the general order.

The following message was received from the Senate:

SENATE CHAMBER, }
March 3, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return titles VI, VII, VIII and X, of the revision, and to respectfully inform you that the Senate insist upon their third, fourth, eighteenth, twenty-first, twenty-second, and twenty-third amendments to titles VI and VII, that they insist upon their fifth amendment to title VIII and their first and second amendments to title X, and that Senators Green, Littlejohn and Smith have been appointed a committee of conference on the part of the Senate, on the disagreement between the two Houses on said titles.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of Senate.

The House took up the Senate amendments to titles VI, VII, VIII and X, and insisted on their disagreement to the third, fourth, and eighteenth Senate amendments to titles VI and VII, and receded from their disagreement to the twenty-first, twenty-second and twenty-third amendments to the same titles.

The House also receded from their disagreement to the fifth Senate amendment to title VIII, and the first and second amendments to title X, and ordered the titles as amended to be enrolled.

Mr. Groves moved a reconsideration of the vote by which the House receded from their disagreement to the twenty-third Senate amendment to titles VI and VII, and,

On his motion, the motion to reconsider was laid on the table.

The "bill to vacate a part of the village of Blissfield, Lenawee county;"

The "joint resolution relative to the state arms;" and,

The "joint resolution relative to the selection of public lands," were severally read the third time and passed.

On motion of Mr. Walker,

The "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company," was taken from the table.

Mr. Hawley moved to amend section seven of the bill by inserting after the word "made" in the fifteenth line, the words "by said company, or any person interested in said lands," which motion was lost.

Mr. Noble offered the following, to stand as an additional section:

"Section —. The president, directors and stockholders of said company shall be jointly and severally, and individually liable for all the debts of said company,"

Which section was adopted by the following vote:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Patterson,	
Andrews,	Hollister,	Peck,	
A. C. Baldwin,	Kennedy,	Scott,	
Barbour,	T. Lewis,	Sweeney,	
Cook,	W. Lewis,	Thomas,	
Dunham,	Morse,	Toll,	
Glen,	Noble,	Wakeman,	
Graham,	O'Malley,	Walker,	
Hand,	Ord,	Speaker,	27

NAYS.

Mr. C. Baldwin,	Mr. Giddings,	Mr. Parsons,	
Barrett,	Jones,	Pierce,	
Blair,	Leland,	Ransom,	
Chubb,	Leach,	Rice,	
Davis,	Palmer,	Webster,	
Edmunds,			16

Mr. Walker moved a reconsideration of the vote by which the House adopted the section, pending which,

On motion of Mr. Jones, a call of the House was ordered, which being had, it was found that Messrs. Moran and Wing were absent without leave, and the sergeant-at-arms was dispatched for the absentees.

Mr. Wing having returned,

Mr. Hazleton moved to dispense with all further proceeding under the call, which motion did not prevail.

Mr. Wing having stated his excuse for absence,

On motion of Mr. Hazleton, further proceedings under the call were dispensed with.

The question then recurring on the motion to reconsider, it prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Parsons,
A. C. Baldwin,	Hand,	Patterson,
C. Baldwin,	Hawley,	Peck,
Barbour,	Hazleton,	Pierce,
Barrett,	Hollister,	Ransom,
Blair,	Jones,	Rice,
Brotherson,	Leland,	Scott,
Chubb,	Leach,	Sweeney,
Cole,	W. Lewis,	Thomas,
Davis,	McDonald,	Wakeman,
Dunham,	Morse,	Walker,
Edmunds,	O'Malley,	Webster,
Giddings,	Palmer,	Wing,
Glen,		40

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr. Ord,
Cook,	T. Lewis,	Toll,
Graham,	Noble,	Speaker, 9

The question recurring on the additional section offered by Mr. Noble, pending which,

Mr. Peck offered the following proviso to the section:

"Provided, That such individual responsibility shall not in any case attach until all the corporate property of the said company shall have been first exhausted."

On motion of Mr. Walker, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On calling the roll, Messrs. Sanborn, Sprague and Ten Eyck were absent on leave, and Messrs. Chubb, Moran and Ord absent without leave.

On motion of Mr. Barbour a call of the House was had, when it was found that Messrs. Chubb and Moran were absent without leave.

Mr. Walker asked and obtained leave of absence for Mr. Moran for the day.

On motion of Mr. Walker, the sergeant-at-arms was ordered to bring Mr. Chubb into the House.

After a short absence, the sergeant-at-arms returned with Mr. Chubb, when all further proceedings under the call were dispensed with.

The House then resumed the consideration of the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," and the question being on the following amendment offered by Mr. Peck, to the additional section offered by Mr. Noble:

"Provided, That such individual responsibility shall not in any case attach until all the corporate property of said company shall have been first exhausted," which amendment was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Ord,	
Andrews,	Hawley,	Peck,	
A. C. Baldwin,	Kennedy,	Sweeney,	
Dunham,	T. Lewis,	Toll,	
Glen,	Morse,	Wakeman,	
Graham,	Noble,	Speaker,	18

NAYS.

Mr. C. Baldwin,	Mr. Hand,	Mr. Patterson,	
Barbour,	Hazleton,	Pierce,	
Barrett,	Hollister,	Ransom,	
Blair,	Jones,	Rice,	
Brotherson,	Leland,	Sanborn,	
Chubb,	Leach,	Scott,	
Cole,	W. Lewis,	Thomas,	
Cook,	McDonald,	Walker,	
Davis,	O'Malley,	Webster,	
Edmunds,	Palmer,	Wing,	
Giddings,	Parsons,		32

The question then recurring on the amendment offered by Mr. Noble, to stand as an additional section, as follows:

"Section —. The president, directors, and stockholders of said company shall be jointly and severally, and individually liable for all the debts of said company,"

And the amendment was lost by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Kennedy,	Mr. Sweeney,	
Andrews,	T. Lewis,	Toll,	
Cook,	Noble,	Wakeman,	
Dunham,	Ord,	Speaker,	
Graham,	Peck,		14

NAYS.

Mr. A. C. Baldwin,	Mr. Groves,	Mr. Palmer,	
C. Baldwin,	Hand,	Parsons,	
Barbour,	Hawley,	Patterson,	
Barrett,	Hazleton,	Pierce,	
Blair,	Hollister,	Ransom,	
Brotherson,	Jones,	Rice,	
Chubb,	Leland,	Sanborn,	
Cole,	Leach,	Scott,	
Davis,	W. Lewis,	Thomas,	
Edmunds,	McDonald,	Walker,	
Giddings,	Morse,	Webster,	
Glen,	O'Malley,	Wing,	36

The question then being on ordering the bill to be engrossed and read the third time,

Mr. Hand moved the previous question, which was sustained by the House, and the main question was ordered to be now put.

The main question, being on the engrossment and third reading, was then put, and prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Peck,	
A. C. Baldwin,	Hazelton,	Pierce,	
C. Baldwin,	Hollister,	Ransom,	
Barbour,	Jones,	Rice,	
Barrett,	Kennedy,	Sanborn,	
Blair,	Leland,	Scott,	
Brotherson,	Leach,	Sweeney,	
Chubb,	W Lewis,	Thomas,	
Cole,	McDonald,	Toll,	
Davis,	Morse,	Wakeman,	
Dunham,	O'Malley,	Walker,	
Edmunds,	Palmer,	Webster,	
Giddings,	Parsons,	Wing,	
Groves,	Patterson,		41

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Noble,	
Cook,	Hawly,	Ord,	
Glen,	T. Lewis,	Speaker,	9

Mr. Ames, from the committee on engrossment and enrollment reported as correctly engrossed, the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company."

Which bill was then read the third time and passed by the constitutional vote, as follows:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Peck,	
A. C. Baldwin,	Hazleton,	Pierce,	
C. Baldwin,	Hollister,	Ransom,	
Barbour,	Jones,	Rice,	
Barrett,	Kennedy,	Sanborn,	
Blair,	Leland,	Scott,	
Brotherson,	Leach,	Sweeney,	
Chubb,	W. Lewis,	Thomas,	
Cole,	McDonald,	Toll,	
Davis,	Morse,	Wakeman,	
Dunham,	O'Malley,	Walker,	
Edmunds,	Palmer,	Webster,	
Giddings,	Parsons,	Wing,	
Groves,	Patterson,		41

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Noble,	
Cook,	Hawley,	Ord,	
Glen,	T Lewis,	Speaker,	9

The question then being on the title,

Mr. Andrews moved to amend the same by substituting therefor the following, which motion was lost:

"A bill to transfer the sovereignty of the state of Michigan to a company of Yankee speculators."

The original title was then agreed to, and

On motion of Mr. Patterson,

The House adjourned.

Thursday, March 5, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

On calling the roll, Messrs. Hand, Noble, Sprague and Ten Eyck, were absent on leave, and Messrs. Graham, Leach and Moran, were absent without leave.

Mr. Cook asked and obtained leave of absence for Mr. Graham, for one week.

PETITIONS PRESENTED.

By Mr. Sanborn, of James Stevens, and other citizens of the county of Lapeer, for the correction of the survey of a certain road; referred to the committee on roads and bridges.

Also, of A. D. Walker, and other citizens of the township of Bristol, Lapeer county, for a change of the name of the village of Newberg; referred to the committee on the organization of townships and counties.

By Mr. Patterson, of sundry inhabitants of the state, for the insertion of a clause in the charter of the Central Railroad company, prohibiting said company from using the road on the first day of the week; referred to the select committee on the sale of the public works.

By Mr. Scott, of Richard Burtt, and seventeen other citizens of Clinton county, for the sale of the public works; same reference.

Mr. Patterson, from the committee on ways and means, reported a "bill to authorize the township treasurer of the township of Sharon to make his return of delinquent taxes to the treasurer of Washtenaw county," which was read twice, and ordered to be engrossed for a third reading.

Mr. Ames, from the committee on engrossment and enrollment, reported the bill as correctly engrossed; and,

On motion of Mr. Patterson,

The rule was suspended, and the bill read a third time and passed.

Mr. Noble gave notice that at an early period he should, on behalf of himself and others, present a protest against the passage of the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," which he should ask to have entered on the journal.

Mr. Hazelton, pursuant to previous notice, asked and obtained leave to introduce a "bill to provide for the laying out of a certain state road," which was read twice and referred to the committee on roads and bridges.

Mr. Ames from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to incorporate the Milford Milling and Manufacturing company," which bill was then read the third time,

When, on motion of Mr. A. C. Baldwin,

The House unanimously consented to amend the ninth section by adding the following proviso thereto:

"Provided, such individual responsibility shall not in any case at-

tach until all the corporate property of said company shall have been first exhausted."

The question being on the passage of the bill, it was lost by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. A. C. Baldwin,	Mr. Hollister,	Mr. Sanborn,	
C. Baldwin,	McDonald,	Scott,	
Barbour,	Morse,	Thomas,	
Barrett,	O'Malley,	Toll,	
Davis,	Ord,	Walker,	
Glen,	Palmer,	Webster,	
Groves,	Peck,	Wing,	
Hand,	Ransom,	Speaker,	
Hawley,	Rice,		26

NAYS.

Mr Ames,	Mr. Edmunds,	Mr. Moran,	
Andrews,	Giddings,	Noble,	
Blair,	Kennedy,	Parsons,	
Brotherson,	Leland,	Pierce,	
Chubb,	Leach,	Sweeney,	
Cook,	T. Lewis,	Wakeman,	
Dunham,	W. Lewis,		20

Mr. A. C. Baldwin moved a reconsideration of the vote by which hte bill was lost.

The Speaker decided the motion to be out of order, for the reason that it was not made by one of the majority, under the rule.

Mr. A. C. Baldwin appealed from this decision,

And on his motion, the appeal was laid on the table.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole on the proposed revision, Mr. Glen in the chair, and after some time spent thereon, the committee rose, and by their chairman reported title XI back to the House, with sundry amendments, in which the concurrence of the House was asked.

The amendments to the title were all concurred in without a division, with the exception of the amendment adding section one hundred and forty-one to chapter fifty-eight, which substitute is in the following words:

"Sec. 141. The qualified voters of any township may, by vote at the annual township meeting, raise by tax, a sum not exceeding one dollar for every scholar in the township between the ages of four

and eighteen years, for the support of common schools in the township."

Mr. Hawley offered the following as a substitute for the proposed amendment, which substitute was rejected:

"It may be lawful for the qualified voters of any organized township at their annual township meeting to vote that a tax shall be raised not exceeding fifty cents for each scholar in the town, between the ages of 4 and 18 years, which shall be raised as other township taxes, and subject to the order of the board of school inspectors, to be by them expended in the purchase of books commonly used in district schools, which shall be by them placed in the township library, subject to be drawn therefrom by the several directors of school districts in the town according to the number of scholars therein, which when so drawn shall be distributed by the said directors among the scholars of that district to be returned to the said directors at the close of any school term.

The question then recurring on the additional section reported by the committee of the whole, it was rejected by the following vote:

YEAS.

Mr. Andrews,	Mr. Jones,	Mr. Sweeney,	
Barbour,	Kennedy,	Wakeman,	
Blair,	Leland,	Webster,	
Chubb,	Morse,	Wing,	
Cole,	Palmer,	Speaker,	
Dunham,	Ransom,		17

NAYS.

Mr. A. C. Baldwin,	Mr. Hawley,	Mr. Patterson,	
C. Baldwin,	Hazelton,	Pierce,	
Barrett,	Hollister,	Rice,	
Davis,	Leach,	Sanborn,	
Edmunds,	McDonald,	Scott,	
Giddings,	Moran,	Walker,	
Hand,	Parsons,		20

Mr. Barret moved to strike out section one hundred and seven of chapter fifty-eight, and insert the following in lieu thereof; which motion was lost:

"Sec. 107. It shall be the duty of the supervisor of each township annually to add to the sum to be assessed in his township for township purposes, a sum equal to that last received from the state for school purposes; and the said sum, when collected, shall be retained in the

hands of the township treasurer, and shall be apportioned and paid out in the same manner as money received from the state; and the said supervisor shall add the further sum of twenty-five dollars for the purpose of purchasing books for the township library, and the treasurer shall pay the same out on the order of the board of school inspectors."

On motion of Mr. Walker, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, was called to order by the Speaker,

And resumed the consideration of title XI of the proposed revision.

Mr. Chubb moved to amend section fifteen of chapter fifty-eight, by striking out therefrom the words "and liable to pay a school district tax therein," which motion was lost.

On motion of Mr. Chubb,

Section fifteen was amended by adding thereto the following:

"And all persons who are entitled by the laws of this state to vote at township and county elections and residing in said district, shall be entitled to vote on all questions arising in said district, excepting when the raising of money by tax is in question, and all such persons shall be eligible to any office in such school district."

On motion of Mr. Davis,

Section forty-five of the same chapter was amended by striking out of the third line the words "adding thereto five cents on each dollar of the sum due for assessor's fees," and adding to end of the section the words "and the assessor may receive such compensation as the district shall allow him, not to exceed five per cent. on the sums by him collected."

On motion of Mr. Hazelton,

The vote was reconsidered by which the House refused to concur in section one hundred and forty-one, as reported by the committee of the whole this morning, and the question recurring on concurring in the section as reported, it was,

On motion of Mr. Ransom; amended by striking therefrom the words "one dollar," and inserting "fifty cents."

The section as amended was then adopted by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Ord,	
C. Baldwin,	Glen,	Palmer,	
Barbour,	Jones,	Ransom,	
Barrett,	Kennedy,	Sweeney,	
Blair,	Leland,	Thomas,	
Chubb,	Leach,	Wakeman,	
Cole,	T. Lewis,	Webster,	
Cook,	Moran,	Wing,	
Dunham,	Morse,	Speaker,	
Edmunds,	O'Malley,		29

NAYS.

Mr. A. C. Baldwin,	Mr. Hollister,	Mr. Pierce,	
Brotherson,	W. Lewis,	Rice,	
Davis,	McDonald,	Sanborn,	
Hand,	Parsons,	Scott,	
Hazelton,	Patterson,	Toll,	15

On motion of Mr. C. Baldwin,

Section eighty-six was amended by striking out of the second line the words "first Saturday of May and November," and inserting "second Saturday of April and first Saturday of November"

Mr. Barrett moved to amend section ten by striking out of the second line, the words "for the term of two years," which motion was lost.

Mr. A. C. Baldwin moved to strike out section eighty-seven, which motion was lost; and,

Title XI was then ordered to be engrossed, and read the third time.

Mr. Noble, pursuant to notice given this morning, read the following protest, which was ordered to be entered on the journal:

PROTEST:

The undersigned availing themselves of that privilege contained in the fourth article of the constitution of this state, "by which any member of either House of the legislature shall have liberty to dissent from, and protest against any act or resolution which he may think injurious to the public or an individual, and have the reasons of this dissent entered upon the journals," do hereby dissent from, and protest against the passage of an act entitled an act to "authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," as injurious to the public, detrimental to its

true interests, and ruinous to its best welfare—and assign the following reasons:

1st. By the second section of the act, the state *sell and grant* to said corporation all the interest and title of the state in the Central Road, and all its appurtenances, rights of way, &c., and on the payment of $500,000 the said company "shall be immediately thereafter *put into possession* of and *entitled to said railroad*, and its appurtenances including all lands, buildings, rights of way, &c.," and on the payment of the balance of the purchase money, "then and immediately thereafter all title and interest of the state in the said Central Railroad, and all lands, appurtenances, depots and buildings," &c., &c., "shall then and *thereafter vest in and become the property* of said company." The word *grant*, when used in conveyances between individuals may or may not be construed as a covenant of title, neither is it necessary here to examine this mooted and vexed question, but it cannot be denied that when used by the *sovereign power*, by the *government*, that it does *operate* as a *covenant of title* in fee. "In the English law, says Chancellor Kent, and in the laws of this "country, grants are understood to apply specifically to the convey- "ance of incorporeal hereditaments, and to *letters patent from the gov- "ernment*, this is the usual understanding and and application of the "term with the profession and with the country at large," and the same author cites authorities to show that when applied to lands it is synonymous with the term *patent*, and it is equally well settled by the authorities that a *conveyance by statute* is equivalent to a conveyance by *patent*; the word grant then as used in this charter does import a covenant on the part of the state, not only that they have title, but that they have an *assignable title*, and the words "right, title and interest," used in the section by no means relieves the state from the covenant, that the *present* title, which the state may have in the road and lands however valid it may be as a *present* title, is an *assignable title*, and one which it is *competent for the state to convey*, if then the state have covenanted and guaranteed to convey that which it is not competent for them to convey, the liability of the state to answer in damages for any defect of power to convey, or any defect in title is palpable. This must stand on the same footing as if they had *conveyed by patent*. Again, without any reference to the word "grant"

and putting out of view any considerations of liability on the part of the state by reason of using this term, in the same section the state *covenant in express terms* upon the payment of a certain sum, "that the said company shall be put into and *entitled* to the *possession* of said railroad and its appurtenances, including all lands, depots, &c. &c," now if the state has not the title, and it is admitted on all sides that to a considerable portion of the lands over which the road passes that the state has no pretence of title, and that in many instances they have not even taken the first step to obtain title, and as will appear hereafter that they have no *assignable* title to said lands, how can the state put said company into a possession which shall *entitle* said company to *hold* possession without first *quieting the title*, and how can this be done except by purchase from the owners of the soil, or by an assessment of damages? The state must do this under their contract or be held liable in damages to said company.

Again, upon the final payment of the purchase money, then the interest and title which the state now has in said Railroad, lands, &c., it is expressly covenanted in terms in said charter, that the same shall vest and become the property of said company. This is an absolute covenant that the *present* title of the state shall, whatever it may be, *vest* in said company, and that the Railroad and the lands, by whatever title the state *now* hold shall *become the property* of said company forever; it is a guarantee that the state will convey lands which they hold for a *specific trust* and for *specific uses* for *other* purposes, then the grant to them specifies, no matter what the want of power, or whether anything would pass by the deed, they guarantee that they have *the power*, and must consequently be liable in damages for any defect of title or *want of power to convey.*

The House have rejected an amendment calculated, as we believe, to throw a safe-guard around this charter, and protect the people against the disastrous consequences which must result from this provision. If the title in the state was clear and unconditional, and was one which they could assign, then the provisions in regard to title in this section, would perhaps be unobjectionable; but the undersigned, in examining the deeds of conveyance to the state furnished to the Legislature by the state authorities as a sample of the one used by the state, can come to no conclusion but that it is a *deed in trust* for

specific uses *declared in the deed*. In arriving at this conclusion, we have recognized the well established rule that deeds are to be construed so as to effect the *intent* of the parties. This rule is universal, and needs no authority, but perhaps the full application and force of it will not appear in this case without that secondary rule, which, in fact, is included in the rule itself, viz: That the *intent* must be the intent at the *time* of the grant. The only true way to find the intent of the parties, is by referring to the time when, and circumstances under, which the deed is made.

Before looking into the particular clauses of the deed furnished by the authorities, let us inquire what was the *intent* of the parties, for what *purpose* did they understand the grant. We must look at the circumstances under which it was made, and the whole system of internal improvements as established by law. The state, in its political capacity, had undertaken the construction of these roads; she had made an immense loan, and it became necessary to obtain rights of way and other rights, for constructing her roads. The idea of any company or an individual ever, becoming the owner of the roads, had not yet entered the imagination of any. Private property was to be taken for *public use*, damages were to be assessed, and the appraisal was to be made with reference to the *benefits* which would be *conferred* upon the property by the work, (establishing in this instance, a rule which could find no sanction under any other circumstances.) Could these benefits be estimated with reference to any thing else than the system provided by law, with reference to improvements in which each individual had an interest, and would *share* the profits, and in the management of which he had a *voice*, would the appraisal of damages been the same had it been understood that a private corporation were to have the use of the private property thus surrendered, and in the control of which the claimants had no rights, and in the profits of which they could not participate.

The state had spread out in her statute books an invitation to her patriotic citizens to come forward and make cessions of lands and donations for this great public object, and she doubtless obtained many such without consideration or reward. Can she now turn round and sell and barter these donations away, like the mendicant who begs and then sells his charities for gain? It can hardly then be supposed,

judging without any reference to the deeds of cession, that they were made with the *intent* that the state could or would sell the lands to any individual or corporation. They were in fact, as they were intended, a *trust* for *public* and noble purposes, to be used *only for such purposes*, as was contemplated at the time. The case of cessions or grants made voluntarily, without reward, are as clearly *trusts* as any case that can be imagined.

On examination of the deed itself, nothing can be found to controvert the views above expressed, but the form of the deed used is the very one which the views above would indicate that it should be, and confirms doubly strong the position taken: The grant of the premises by the deed is to the *people of the state of Michigan*, (it is not supposed that the word heirs is necessary as in cases of individuals, nor successors, as in case of corporations in order to make the grant perpetual. The King, it is said, never dies, nor do the people in their political capacity, unless perchance by some suicidal act like the present, they stand shorn of all their dearest rights and privileges). The grant in the premises being to the people of the state, if there were no other words in the deed to limit the extent of it, nor any limitation nor conditions, the deed would be sufficient to pass an absolute title in fee, but it is well established that the *habendum* clause in a deed may limit or qualify the extent, or the nature of the estate conveyed, its office is to declare the nature of the estate and the limitation thereof, and to what use. This rule is subject only to this limitation that the habendum be not repugnant to the premises, but no question of repugnancy can arise in this case, as no estate is declared in the premises, except that it is for the use of the said state for said Railroad. The grant in the premises is expressly declared to be "upon the terms and conditions" in said conveyance expressed, and the habendum is in these words, "to have and to hold the same to the people of the state forever;" and the proviso is "that said lands shall be used and occupied by the people of this state for the purpose of constructing a Railroad thereon, and for the purpose of erecting buildings, &c., and such *other* purposes as the commissioners of internal improvement may require."

These terms show clearly that the estate granted was to vest in *no grantee* of the state, nor in any *other* but the *people* of the state for the use specified.

It cannot be urged that the terms "for the purpose of constructing and erecting thereon," because there is not the word "continuing" do not imply a continued use. If there was any thing in this view of the case, it would prove quite as conclusively that the grant itself was to cease after the construction and erection had been completed, as it does that it was *then* to be held discharged from the condition. And we apprehend it cannot for a moment be supposed that it was the intention that when the state had made the construction it would cease to use it. It has been urged before the House, that the words in the conveyance, "and if the said lands are not used for the purpose aforesaid within—years then the deed shall be null and void," shows the extent of the condition and limitation, and that if the land was in fact used within the time specified, then the condition is discharged. But such performance it is clear would only discharge this one condition, and this only, and in no way affect the *trust* or *use* contained in the deed, and it is only by the performance of this condition that the deed becomes operative at all, and vests in the state the premises upon the *trust* and *use* contained in the deed; and it is only upon the discharging of the condition imposed of constructing &c., that the *use and trust vests.* The effect of the condition to construct, &c., within a specified time, is this, that if the land was not used within the time, then in the words of the condition, "the grant should be void," but if they did use it by constructing, &c., a Railroad, a right in the lands passed to the state in *trust* and *for the use* of the people *so long* as they continue the *trust and use.* An absolute estate did not pass by the deed, nor did even a conditional fee, but an *easment* only, a *right of way,* which *would revert* to the orginal owner by a *non use* or *abandonment of the trust and use by the state,* or what is the *same thing by a sale* by the state. Had it been the intention to convey an absolute estate, and one which was *assignable* by the state, the words of the grant would have stopped with the the premises and would have left out as well the conditions upon which the conveyance was to take effect, as the trusts and use to which the deed is subject after the performance of the condition. Had the grant in the premises stopped at the words "the people of the state," a title in fee by necessary implication would pass without reference to the acts or

purposes of the grant; but that interpretation is entirely cut off by *the express declaration to whose use* and for what *specific purpose* it was made. When they cease to exercise it and abandon the use, the land reverts to the original owners, and it is not in the power of the state to assign or transfer their present title.

By the conveyance in the act of incorporation in question, they covenant that the *present title* which they have shall vest in said corporation; and by that covenant they become liable in damages to the full amount of a total failure of any or all the title now vested in the state. They guarantee that the title which they hold is an assignable one; and the undersigned see in this improvident guarantee, that the object of a sale may be defeated, and that the state may have to respond in damages to an amount which will absorb a large portion of the agreed purchase money. The House firmly resisted an amendment to this charter, which provided that the state should not be liable in any case for any defect of title, or any defect in rights of way, or for any want of power to convey. And the undersigned, in justice to themselves, and deeming the act referred to as injurious in its effects upon the state, and as defeating, or tending to defeat the great object which the people of the state have, do dissent from the action of the House, and protest against the said act.

2d. By the 5th, 6th and 7th sections of said act the said company are authorized and empowered to appropriate to their own use, the lands and estate, buildings and property of every kind, both real and personal, of private individuals, without having *previously* paid the damages therefor. This high handed infringement of private rights should never receive a legislative sanction. It is true, there is a mode pointed out in the charter for the ascertaining the damages which an individual may sustain; it is by a jury of six, chosen not in the particular case, but generally, for the whole county in which the lands may lie, which the cupidity or convenience of the company may desire; and this is to be a *jury of view*, before whom no witnesses can be sworn and no testimony introduced, and the company may appropriate the private property of any individual, and leave him to the slow process of the law for his indemnity. This principle weakens the security of private property, and breaks down and tramples upon the most sacred of our rights; and it is in direct violation of the provision of our con-

stitution, which guarantees to us, "that the property of no person shall be taken for public use without just compensation therefor.

In Kent's commentaries it is said, "the better opinion is that compensation or tender of it, must *precede* or be *concurrent* with the seizure and entry upon private property under the authority of the state." "The government is bound," says he, "in such case to provide a tribunal for the assessment of indemnity, before which each party may meet and discuss the claims on equal terms; and if they proceed without taking these steps, they ought to be restrained by injunction." The civil code of Louisiana has declared that there must be *previous* indemnity; so did the code Napoleon; so the Charter of Louis XVIII, and the provision in our own American constitution, is essentially the same, though not precisely in the same words. "And," says the same author, "they require the same construction." The undersigned can see no reason sufficiently strong to break down the plain provisions of our constitution—to disturb and break up the very foundations of our just rights, and by thus weakening the tenure of private rights, render unstable and insecure the very basis of our social institutions, and open the door and invite agression, and by legislative sanction, administer to the cupidity of one, or the views of expediency of another. And the undersigned most solemnly protest against said act, as destructive to the true interests of the people of the state.

3d. The first section of the act provides that said corporation, "if sued at law, shall *only* be sued in a court of record." The act authorizes the company to appropriate to their own use, without first paying for it, lands, materials and personal property which may be within the limits of the 450 ft. in width from Detroit river to Lake Michigan. They take the property of any man, rich or poor; all must bend before the mighty power. If they take the property of a poor man, which is worth less than $100, what remedy has he? None but to sue in "a court of record." The delays, the time and the money which it will be necessary to pay out to obtain his rights, will be more than the amount received, and we can look on this provision in no other light than as an absolute denial of justice, and as debarring any assertion of the rights of any man in regard to any claim less than $100—yea, it is in fact, a sanction given by the legislative power to this company to enforce if they choose, an *involuntary contribution*

on every poor man that may chance to have a home within the lines of their legalized exactions. There can be no sound reason why they should not be subject to the same laws that are provided for all our citizens; and we look upon the act in this particular, as an outrage upon the rights of a class of citizens who are least able to administer to the avarice of power, or to sustain the exactions which an unscrupulous corporation may impose, and we therefore dissent from, and protest against said act.

4th. Section 4 of the act, authorizes the company to pay the purchase money so far forth, in the unrecognized or unadjusted bonds held in Europe on account of the Bank of the United States. We look upon this as defeating the great objects of sale. The universal sentiment of the people in regard to selling the public works, has been and is, as the undersigned fully believe, based chiefly on the principle that it would bring relief from the impending taxation to pay interest on our recognized debt. The Auditor General's circular gave a fresh impulse to this feeling, and the cry from all parts of the state was still louder to be saved from this taxation. The sale of the public works was looked to by all as a relief measure, and the Executive in his message places it almost entirely on that ground. We think we cannot mistake public sentiment when we view it in reference to the question of sale, that it is based almost wholly on the idea that a sale must relieve the people from the *immediate burdens* of taxation. But this proposition strikes out of existence every hope of any immediate relief, and we have parted with the only reliable and available property in the state upon which we had any hope of relief, and receive in pay that portion of our bonds which are not due for years yet to come, and upon which there is no prospect that for some time in the future, we should have to raise the interest; and have left no alternative but to grind to the dust the people with the levy of taxes to pay the interest on our adjusted bonds, and the House rejected an amendment which provided that the interest of only *one* year on these bonds should be paid, and thus afford some temporary relief and at least save the people from the taxation of the amount which the Auditor General's *present* circular requires to be raised. That circular is now out, that is to be followedby another in July, and as each season rolls around, for all time to come, we must submit; and however hard it

may be, we must still be ground down, and that without a murmur. It is said that they may pay in the Butler bonds, so called. 'Tis true they have that privilege. But are these corporators wanting in business sagacity, or are they so liberal hearted that tehy will give us a gratuity? We are to suppose that they will pay in those bonds which they can obtain the easiest, and while the adjusted or Butler bonds cannot be bought probably much below par, it is well understood that that portion of the bonds held in Europe and upon which we have never received but a small per cent, can be obtained for about 28 cents on the dollar, and it is believed by many as low as 18 cents, (which by this act they are to be received in payment at the rate of $119 55-100 on the thousand). We are to judge of the corporators as men of business, as men of sense, and as such, it is gross ignorance and folly to presume they will pay in any other than these unadjusted or unrecognized bonds belonging to the Bank of the United States, to the amount of about $1,600,000, add to this sum the amount of lien on the Central road $150,000, as provided for in said bill out of the purchase money of said road, and it makes the whole purchase money except $250,000, for which sum the corporators hold or can easily obtain "Auditor General's" warrants, for and in which they are also authorized to pay, and the whole purchase money for the sale of the road is thus absolved, and *still the people not relieved from a dollar of the taxation which is hanging over them*, and for which the tax gatherer is already at their doors. Such a measure as this the undersigned fully believe the people will not justify. These unadjusted bonds have by no means caused that feverish anxiety in the public mind to dispose of the public works: It has been the adjusted bonds and the interest accruing thereon which the state has twice plighted its faith to pay, and twice been found in default, that has roused up the honest-hearted people of our state to redeem their plighted faith by almost any sacrifice, and while they redeem the forfeited honor of the state also to have the satisfaction of feeling that they have kept the tax gatherer from their hearths.

The people cannot look with complacency upon an act that shal add perfidy to forfeited faith. The proceeds of the road were solemnly pledged by the act of 1840 for the payment of the interest on these adjusted bonds, and the warrants drawn on the internal improve-

ment, and the bond holders hold that pledge voluntarily given by the state, and in no way have consented to release their security, still this act of incorporation, while it prohibits those from taking the property pledged to them, in payment, and will not permit the holders to come in and have any interest in the stock of the company, at the same time robs them literally of the security; and thus the state itself becomes a party to another fraud, and gives a sanction and a power to these corporators to speculate, if they choose, upon the holder of the bona fide bonds, and thus the state sanctions exactions from those who, among our debtors who alone, have confided in our integrity, and enables this corporation to speculate out of our thrice plighted and forfeited faith. Those whom the people have trusted, and to whom they have confided the interests of the state and their own interests and honor, have a high and deep responsibility to answer for. (And fortunate is he who can escape the curse of having betrayed the high trust reposed in him.) We protest against the act as unwise, impolitic and unjust, and as thwarting the just expectations of the people, and as setting at defiance their true wishes, and as regardless of their interests.

5th. No supervision over the charter has been reserved for a future legislature. The people, nor their delegated agents can, in all time to come, exercise any control or authority over the power they have granted, no matter what violations the company may be guilty of, no matter what exactions they may demand, or how far exercise powers which have not been granted, or abuse those which have, the legislature can in no way interfere; they can put them at defiance, and mock at their impotent attempts to correct abuses. The legislature must be forever silent and powerless. The reservation of the right of repeal, we look upon as the very foundation of all or any power to exercise a wholesome restraint over great and absorbing franchises granted by the legislature. It is of itself alone the strongest check that can be imposed on otherwise unbridled power. With it, there is safety—without it, the people are left to the merciless power which they themselves have created, but over which they have no control. It is a shield against the insidious advances which power is ever ready to make on checks which are designed to restrain its action.

Great, wise and good men, have doubted the power of a legislature to grant by any enactments exclusive privileges and franchises, and ever to place them beyond the control at any time of the same power from which they emanated. Where is the right for one who exercises a delegated power for a brief period, to place the rights of the people beyond the recall of that power from whom alone the right emanates? It has been asserted by one who wielded more power than any man of modern times, that "any act which attempts by grants or monopolies, or sale of exclusive privileges for a limited time, or a time without limit, to restrict or extinguish its own discretion in the choice of means to control its delegated power, is equivalent to a legislative amendment of the constitution, and palpably unconstitutional." Not to reserve the right of repeal in acts of incorporations, is to presume that the corporators will act more honestly than the power which gave them their chartered rights: That they will never abuse their franchises. But that the legislature without cause, even without any violation of the powers ceded, will lay ruthless hands on them and destroy them. All experience shows the contrary. This right of repeal is no new doctrine. The absolute, unconditional right of repeal has been reserved in every act of incorporation in the state of New York for more than twenty years; it has been reserved in express terms not only in all rail-road charters and bank charters, but in turnpike companies, ferries, manufacturing companies, &c., and in every act of incorporation, no matter for what object, this clause has been carefully inserted. In Massachusetts the same has been the case, and so important was it deemed, that there is a provision eografted in their revised statutes, that every act of incorporation should be subject to be repealed, modified or amended by the legislature; and every act of incorporation is by its charter made subject to this provision—and it is believed that the same provision was contained in the statutes of 1804, and that no act of incorporation of any kind, for any purpose, has been passed since that date without an express reservation in the act itself, of the right of repeal. The same is true of Maine, New Hampshire, Connecticut, Missouri, and it is believed of almost all the states. It is affirmed by the highest legal authority that it is now the practice in all recent acts of incorporation, for the legislature to reserve to themselves the power to alter, modify or repeal the charter,

and that the validity of such alteration or repeal of a charter in pursuance of such reservation, may not be legally questioned, and if a charter be granted with the reservation, there is no ground to question the validity and efficacy of the reservation. And in our state, too, we have upon our statute books the express provision that every act of incorporation shall be subject to be amended, altered or repealed by the legislature. This principle has become interwoven with the Democratic creed.

It is a principle which has been contended for, and been preserved for more than thirty years, and the Legislature of Michigan is the first in the long catalogue of democratic states that for years has swerved from this principle. We should not be the first to prove faithless, and recreant to our principles. The price we get is not enough for the sacrifice of principle which it costs. There is no sound reason for abandoning the principle. Corporators, who all their lives have been coining money under acts where this right has been specially reserved, and where to reserve the right is as universal as to grant the franchise, should be the last to object here to that reservation of power. Does the experience of the past show that the reservation has formed any obstacle to the stock of any incorporation being taken up? The hungry crowds that swarm around the books when open, and the secret but liberal bribes that are given to attain their objects and secure the stock, show how futile is the objection. No sound objection has been urged or can be, to the reservation of that right. Slander says, that the people of Michigan are less honest, less to be confided in, than their neighbors of Ohio, the western states, New England and New York. The undersigned cannot sanction that libel upon our people, which they would do by rejecting this reservation of power. We deem the act in not reserving the right of repeal, though urged upon the House, as impolitic, unwise and injurious to the rights of the people, a slander upon their integrity, and a libel on their fair fame—and therefore we protest against it.

6th. The House rejected the amendment which provides that stockholders should be personally liable for the debts contracted by said Company. We look upon this provison as absolutely essential to the protection and safety of the people. This principle has been asserted and maintained by all classes in late years, and especially by

the democratic party, as the sheet-anchor of safety against the abuses of these monopolies. It is true in the case in question the road itself would be responsible. What guarantee is there that the road itself will not be mortgaged or incumbered so as to put it beyond the power of any one to enforce any remedy? The state itself has a permanent lien on the road sufficient to embarrass any remedy and place it beyond the reach of individuals, and in the grant of this perpetual franchise, this safeguard above all others, should have been preserved, and in abandoning this principle of *personal liability*, we cannot hold ourselves justifiable by any present emergency or necessity. In proportion to the extent of the powers we have granted, should we have been tenacious of those securites and safeguards which protect the people.

In this particular, then, the undersigned protest against said act, as most especially injurious to the rights of the people, which we have sworn to protect.

We look upon this grant of a monopoly and exclusive privileges as a prostitution of our government, to advance the few at the expense of almost every right granted to us by our republican constitution. This act cedes to the corporation, in contravention of that instrument the right to our own private property, while even the state itself, no matter how pressing may be the emergency, either in times of war or peace, for a fort or for a capitol, will be tresspassers within the breadth of their ceded lines,and under no emergency, nor for any compensation have they the right to take or appropriate any land of the company. It surrenders up to them the currency of the country. There is no restriction upon their mode of doing business or to any probable system they may adopt in paying out their checks in all their business, instead of money. The few banking institutions which we have left will fall entirely into their hands or be crushed at their pleasure, and old banks be revived by them and again flood the country with worthless paper to be redeemed by what may prove their still more worthless checks.

It is a monopoly which will spread itself over the whole state, and it will not be for want of power, that they will not bring within their grasp all the productive business in the country; and when one by one your business men of the state fall into bankruptcy—when competi-

ition, by low prices at first, is broken down, both on the land and on the lake, then will their high prices be felt—then will come exaction on exaction, tribute on tribute, until every product shall pay its share, and every man shall feel the power that will blight his prospects, sink his hopes and feed on his substance, until he feels that tame submission to the iron heel is all that is left him. It surrenders up to this mighty power, not only the business of the country, but tamely and ignobly yields up the civil and political destines of the state; and the time will come, and that not distant, when the seats now occupied by democratic members, will be filled by those only, who will bow in humble submission to their dictation and power. And when within these halls no freeman dare raise his voice in behalf of the peoples' rights, or if he does, it will only be, to be silenced and overwhelmed by the loud notes of the minions of power. It is to that people trodden in the dust—their rights trampled upon, still preserving and holding on to the recollection of other days when they had the blessings of freedom and representation, that we must respond for this act and render them a reason why we made them SLAVES TO A PERPETUAL POWER.

It is for the above and other reasons that we most solemnly protest against the action of the House in the premises, and against the passage of this act, and respectfully claim of right that this our protest be entered upon the journals of the House.

D. A. NOBLE,
THOS. LEWIS,
J. ANDREWS,
J. P. COOK,
J. B. GRAHAM,
PLACIDUS ORD,
E. HAWLEY, Jr.

March 4, 1846.

The Speaker announced the following communication:

SENATE CHAMBER,
March 17, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit "a preamble and joint resolution for the relief of Thomas K. Green," which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Also to return the 'bill to authorize the treasurer of the township of Sharon to make returns of delinquent taxes of said township to the treasurer of the county of Washtenaw,' which the Senate have passed with an amendment in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

The 'preamble and joint resolution for the relief of Thomas K. Green,' was read twice and referred to the committee on public lands.

The Senate amendment to the "bill to authorize the treasurer of the township of Sharon to make return of their delinquent taxes of said township to the treasurer of the county of Washtenaw," was concurred in, and the bill as amended was ordered to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,
March 5, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the substitute adopted by the House to the "joint resolution relative to the selection of public lands," and ordered the same to be enrolled.

Also, to return the "bill to apportion anew the Representatives and Senators among the several counties and districts of this state" which the Senate have passed with anendments, in which the concurrence of the House is respectfully asked.

Respectfully, &c.

JAS. E. PLATT,

Secretary of Senate.

The Senate amendments to the "bill to apportion anew the Representatives and Senators among the several counties and districts of this state," were severally concurred in, and the bill as amended was ordered to be enrolled.

On motion of Mr. Hand the House took up for consideration the Senate amendments to chapter forty-one of title IX of the proposed revision, and the question being on concurring in the tenth amendment to the title, which amendment strikes out of section eighteen, the following proviso: "Provided that no license for the sale

of any intoxicating liquors shall be granted in any city, village or township, when a majority of the qualified voters thereof shall have voted at the next preceding township or charter election therein, against the granting of such licenses, as hereinafter provided," which amendment was non-concurred in by the following vote:

YEAS.

Mr. Barrett,	Mr. Parsons,	Webster,	
Davis,	Thomas,	Wing,	
Ord,			8

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Morse,	
A. C. Baldwin,	Hawley,	O'Malley,	
C. Baldwin,	Hazelton,	Palmer,	
Barbour,	Hollister,	Patterson,	
Blair,	Jones,	Pierce,	
Chubb,	Kennedy,	Ransom,	
Cole,	Leland,	Rice,	
Cook,	Leach,	Scott,	
Dunham,	T. Lewis,	Sweeney,	
Edmunds,	W. Lewis,	Wakeman,	
Giddings,	McDonald,	Speaker,	
Glen,	Moran,		35

The eleventh Senate amendment to the title was then concurred in, and the twelfth, twenty-ninth and thirtieth amendments were severally non-concurred in.

On motion of Mr. Scott, the House adjourned.

Friday, March 6, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. Graham, Hand, Noble, Sprague, and Ten Eyck were absent on leave, and Messrs. Brotherson and O'Malley absent without leave.

Mr. Rice asked and obtained leave of absence for Mr. Brotherson for an indefinite period.

Mr. Dunham for Mr. Noble until Tuesday next.

PETITIONS PRESENTED.

By Mr. Hazelton, the remonstrance of Nathaniel Smith and other

citizens of the township of Forest, in the county of Genesee, against the re-attaching of certain townships to the county of Lapeer; referred to the committee on the organization of townships and counties.

By Mr. Peck, the claim of L. Pasquelle for translating the Governor's message into the French language; referred to the committee on printing.

REPORTS.

Mr. Dunham, from the committee on claims, made the following report, which was accepted, and the committee discharged:

The committee on claims, to whom was referred the petition of A. M. Baker and twenty-eight other citizens of Lenawee county, praying the legislature to enact a law constituting a board of commissioners, whose special duty it shall be to hear and determine all claims growing out of our internal improvement system, report that, in the opinion of the committee, no further legislation is necessary, as there are already a board of appraisers of damages for right of way, and a board of state auditors, whose duty it is to hear and determine all such claims.

The committee ask to be discharged from the further consideration of this petition.

Mr. Sanborn, from the committee on the organization of townships and counties, reported a "bill to change the name of the village of Newburg," which was read twice, referred to the committee of the whole, and placed on the general order.

Mr. Groves, from the committee on public lands, reported back to the House the Senate "preamble and joint resolution for the relief of Thomas K. Green," without amendment, and recommended its passage.

The report was accepted, and the joint resolution was referred to the committee of the whole and placed on the general order.

Mr. Lewis, from the committee on roads and bridges, reported back the 'bill to provide for the laying out of certain state roads,' and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole, and ordered to be printed.

Also, reported a "bill to provide for improving the public highway from Bellevue to Charlotte in Eaton county," which was read twice, referred to the committee of the whole, and ordered to be printed.

Also, reported a "bill to repeal a certain act, and for other purposes," which was read twice and referred to the committee of the whole.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled, the "bill to authorize the treasurer of the township of Sharon to return the delinquent taxes for said township to the treasurer of the county of Washtenaw," and that the same was this day presented to the Governor for his signature.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Toll, pursuant to previous notice, asked and obtained leave to introduce a bill to authorize Wm. Laird and Sarah Bliss to execute a mortgage upon certain land in St. Joseph county, which was read twice and referred to the committee on the judiciary.

Mr. Webster gave notice that he should on some future day, ask leave to introduce a bill to provide for laying out a state road from Corruna, in Shiawassee county, to Palmer, in St. Clair county.

Mr. Blair offered the following resolution:

Resolved, That the committee on state prison be instructed to report to this House at their earliest convenience, a bill providing for the employment of convicts in the state prison, in such manner as shall not be detrimentral to the interests of mechanical and manufacturing industry; also that they inquire whether any reduction can be made in the expenses of the state prison, and report by bill or otherwise.

On motion of Mr. Dunham,

The resolution was laid on the table.

Mr. Barrett gave notice that on some future day he should ask leave to introduce a bill to improve the administration of justice.

On motion of Mr. Groves, the motion to reconsider the vote by which the House concurred in the twenty-third Senate amendment to titles VI and VII, was taken from the table, and the motion to reconsider prevailed.

The question then recurring on concurring in the Senate amendment,

On motion of Mr. Edmunds, the amendment was amended by striking out of the first line of section one, the word "shall" and insert "may;" and strike out the word "appointed" in the same line and insert "elected," also add at the end of section one "and such in-

spectors shall hold their offices respectively for the term of four years unless sooner removed by the board of supervisors for misconduct in office," also, strike out section two; and in the first line of section ninety strike out the word "town" and insert "county," and in the same line, strike out the word "shall," and insert "may be elected," and in the second line strike out all between the words "heading" to the word "and" in the third line

The Senate amendment as amended, was then concurred in.

On motion of Mr. Rice, the "bill to incorporate the Adrian Joint Stock Church Company" was taken from the table, and the question being on ordering the bill to be read the third time, it was lost.

Mr. Patterson moved a reconsideration of the vote by which the House refused to order the bill to a third reading, and on his motion, the motion to reconsider was laid on the table.

On motion of Mr. Hazleton,

The House went into committee of the whole on the general order, Mr. A. C. Baldwin in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration,

A "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids in the county of Kent, approved March 12, 1845;"

A "bill to provide for procuring the most approved plans for building school houses in the state of Michigan;"

A "preamble and joint resolution for the relief of Thomas K. Green;"

A "bill to repeal a part of a certain act, and for other purposes;"

A "bill to change the name of the village of Newberg;"

A "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, on lands in the township of Ogden, Lenawee county;" and

A "bill to equalize the valuation of property between the several counties, and to establish its minimum for purposes of taxation," which they reported back without amendment; and also, a "joint resolution relative to the eighth joint rule;"

A "bill for the relief of persons on University and school lands whose property has been taken for the use of the state;" and,

A "bill to incorporate the Grand Rapids fountain company," to which they had made amendments, in which the concurrence of the House was asked.

The "bill to repeal part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids, in the county of Kent, approved March 12th, 1845," and,

The preamble and joint resolution for the relief of Thomas K. Green," were severally ordered to a third reading.

The "bill to equalize the valuation of property between the several counties, and to establish its minimum for purposes of taxation," was, on motion of Mr. Hazelton, laid on the table and ordered to be printed.

The "bill to repeal a certain act and for other purposes;"

The "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, on lands in the township of Ogden, Lenawee county;" and,

The "bill to change the name of the village of Newburg;" were severally ordered to be engrossed and read the third time.

The amendment to the "bill for the relief of persons on University and school lands whose property has been taken by the state," was concurred in, and on motion of Mr. Hawley, the bill was laid on the table, and ordered to be printed.

On motion of Mr. Hazleton, all after the enacting clause was stricken out of the "bill to provide for procuring the most approved plans for building school houses in this state," and the enacting clause was indefinitely postponed.

The amendment to the "joint resolution relative to the eighth joint rule" striking out all after the word "resolved" was concurred in.

On motion of Mr. A. C. Baldwin,

The bill to incorporate the Grand Rapids Fountain Company, was laid on the table.

On motion of Mr. Rice, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Groves,

The votes were reconsidered by which the House this morning struck out all after the enacting clause of the "bill to provide for procuring the most approved plans for building school houses in this state," and indefinitely postponed the enacting clause.

The bill being open for amendment, it was amended,

On motion of Mr. Groves,

By striking out of the first section, the words "one hundred dollars," and inserting "twelve dollars and fifty cents."

Mr. A. C. Baldwin moved to add the following proviso to section two:

Provided further, that the said Lamb receive no compensation unless he personally deliver said plans, and present the certificate of the several township officers of that fact, to the proper accounting officer.

Mr. Groves offered the following substitute for the amendment, which was adopted:

"Provided further, than said Lamb shall receive no compensation until said plan shall be delivered to the several townships in the state."

On motion of Mr. C. Baldwin, the following section was added to the bill:

"Section —. The legislature may at any time alter, amend or repeal this act."

The question then being on ordering the bill to be engrossed for a third reading, it was decided in the negative.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Cook in the chair.

And after some time spent thereon the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Barbour, the House adjourned.

Saturday, March 7, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

On calling the roll, Messrs. Brotherson, Graham, Hand, Noble, Sprague and Ten Eyck were absent on leave, and Messrs. Barbour, Chubb, Leland, Leach, Patterson, Peck, Pierce, Toll and Wakeman were absent without leave.

Mr. Giddings asked and obtained leave of absence for Mr. Leach, for the day.

Mr. Hazleton for Mr. Chubb, till Wednesday.

Mr. Kennedy for Mr. Wakeman for the same time.

Mr. Edmunds for Messrs. Leland and Pierce till Tuesday.

Mr. Wing for Mr. Peck for the same time.

Mr. Cook for Mr. Toll for the day, on account of indisposition.

PETITIONS PRESENTED.

By Mr. Ransom, of C. Sergeant and others, of Kalamzoo county, for the organization of a new township; referred to the committee on the organization of townships and counties.

By Mr. Cole, of sundry citizens of St. Joseph county, relative to mill dams; referred to the committee on the judiciary.

Also, of William Laird and Sarah Bliss; same reference.

By Mr. Barrett, the claim of Ans Kaminsky, for translating the Governor's message into the German language; referred to the committee on claims.

By Mr. W. Lewis, of ten inhabitants of Barry county, for the laying out of a state road, as therein set forth; referred to the committee on roads and bridges.

By Mr. Blair, the memorial of Asher B. Bates, asking a lease of the state prison; laid on the table and ordered to be printed.

Mr. Sanborn, from the committee on banks and incorporations, reported back with sundry amendments the "bill to amend an act to incorporate the Troy and Rochester Railroad Company, approved March 2, 1844," and the bill and amendments were referred to the committee of the whole and ordered to be printed.

Mr. W. Lewis, from the committee on roads and bridges, reported a "bill to provide for laying out a certain state road,"

Which was read twice, referred to the committee of the whole and placed on the general order.

On motion of Mr. Hazleton,

The "bill to equalize the valuation of property between the several counties, and to establish its minimum for the purposes of taxation," was taken from the table, and

On motion of Mr. Walker, the bill was referred to the committee of the whole and placed on the general order.

The Senate "preamble and joint resolution for the relief of Thomas K. Green," was read the third time, and

On motion of Mr. Groves,

The House unanimously consented to amend the fourth line of the preamble by striking out the word "south" where it first occurs, and inserting "north."

The joint resolution was then passed by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Ord,
Andrews,	Groves,	Palmer,
A. C. Baldwin,	Hawley,	Patterson,
C. Baldwin,	Hazelton,	Ransom,
Barbour,	Hollister,	Rice,
Barrett,	Jones,	Sanborn,
Blair,	Kennedy,	Scott,
Cole,	T. Lewis,	Sweeney,
Cook,	W. Lewis,	Thomas,
Davis,	McDonald,	Walker,
Dunham,	Moran,	Webster,
Edmunds,	Morse,	Wing,
Giddings,	O'Malley,	38

NAYS.

Mr. Speaker, 1

The Senate "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids, in the county of Kent, approved March 12, 1845," was read the third time, and

On motion of Mr. Rice, laid on the table.

The House then resolved itself into a committee of the whole on the proposed revision, Mr. Cook in the chair, and after some time spent thereon, the committee rose and by their chairman reported title XII back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Walker the title was laid on the table.

Mr. Glen offered the following resolution:

Resolved, That when this House adjourn, it will adjourn to meet at half past nine o'clock on Monday morning.

On motion of Mr. Edmunds,

The resolution was amended by striking out 'half past.'

The resolution as amended was then rejected by the following vote:

YEAS.

Mr. Andrews,	Mr. Hand,	Mr Morse,	
Blair,	Jones,	Ord,	
Cole,	T. Lewis,	Palmer,	
Edmunds,	W. Lewis,	Wing,	
Glen,			13

NAYS.

Mr. C. Baldwin,	Mr. Groves,	Mr. Ransom,	
Barbour,	Hawley,	Sanborn,	
Barrett,	Hollister,	Scott,	
Cook,	Kennedy,	Sweeney,	
Davis,	McDonald,	Walker,	
Dunham,	Patterson,	Speaker,	
Giddings,			19

Mr. Dunham moved an adjournment, which was lost.

Mr. Jones moved a call of the House, which motion did not prevail.

On motion of Mr. Groves, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Patterson, the committee on the judiciary were discharged from the consideration of titles XIII, XIV and XV of the proposed revision, and the titles were referred to the committee of the whole.

The House then went into committee of the whole on the proposed revision, Mr. A. C. Baldwin in the chair, and after some time spent thereon the committee rose and by their chairman reported back title XIII with sundry amendments, in which the concurrence of the House was asked;

Also that they had had under consideration title XIV, on which they had made some progress and asked and obtained leave to sit again thereon.

The amendments made to title XIII were all concurred in except the amendments to sections fifteen and sixteen, which amendments were non-concurred in.

The title was then ordered to be engrossed for a third reading.

Mr. O'Malley moved an adjournment which motion was lost by the following vote:

YEAS.

Mr. Barrett,	Mr. O'Malley,	Mr. Sanborn,	
Groves,	Palmer,	Thomas,	
Hollister,	Parsons,	Wing,	9

NAYS.

Mr. A. C. Baldwin,	Mr. Giddings,	Mr. T. Lewis,	
C. Baldwin,	Glen,	W. Lewis,	
Barbour,	Hand,	McDonald,	
Cole,	Hawley,	Morse,	
Cook,	Hazleton,	Patterson,	
Davis,	Jones,	Ransom,	
Dunham,	Kennedy,	Speaker,	
Edmunds,			22

Mr. A. C. Baldwin moved to reconsider the vote by which the House refused to adjourn, which motion was lost.

On motion of Mr. Hand,

The House resolved itself into committee of the whole on the proposed revision, Mr. A. C. Baldwin in the chair, and after some time spent thereon, the committee rose, and by their chairman reported back titles XIV and XV without amendment.

On motion of Mr. Hand,

Section twelve of chapter sixty-five, title XIV, was amended by inserting in the line after the word 'extraordinary' the words 'minister resident,' and after 'charge des affaires' the word 'commissioner.'

Mr. Hand moved to strike out the second and third lines of section thirteen the words 'the acknowledgment of the wife shall be taken separately and apart from her husband, and,' which motion was lost.

On motion of Mr. Patterson,

The second line of section twenty-one, chapter sixty-six was amended by inserting at the end thereof the words 'of which her husband died seized.'

On motion of Mr. Edmunds,

The words "six months" were stricken from the end of section twenty-three, and 'one year' inserted.

On motion of Mr. Hand.

The words 'and shall have issue born alive, which might inherit the same,' were stricken out of the second line of section thirty.

Title XIV was then ordered to be engrossed for a third reading.

On motion of Mr. Hand,

The word 'others' was stricken out of the eighteenth line of section one, chapter sixty-seven, title XV, and 'other children' inserted.

On motion of Mr. Patterson,

The words 'for the use of the primary school fund,' was added to the end of the same section.

Title XV was then ordered to be engrossed for a third reading.

On motion of Mr. Davis, the House adjourned.

Monday, March 9, 1846.

The House met pursuant to adjournment, was called to order by the Speaker,

Prayer by Rev. Mr. Harrison.

The roll was called and Messrs. Brotherson, Chubb, Graham, Leland, Noble, Peck, Pierce, Sprague, Ten Eyck and Wakeman were absent on leave and Messrs. Hazleton, Leach and Toll were absent without leave.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. Hand, the remonstrance of S. R. Pierce and eleven other citizens of Wayne county, against the division of said county; laid on the table.

Also, of Garrett Ramsdell and one hundred and seventy others, against said division; laid on the table.

Also, of E. W. Starkweather and fifty-seven others, against said division; laid on the table.

By Mr. Ames, the remonstrance of one hundred citizens of Livonia, Wayne county, against a division of said county; laid on the table.

Also, of the Mayor of the city of Detroit, and sixty other persons, against the said division; laid on the table.

REPORTS.

Mr. Barrett, from the committee on printing, reported back the

claim of L. Fasquelle, and recommended that the same be referred to the committee on claims.

The report was accepted and the claim referred to the committee on claims.

Mr. Ord from the committee on engrossment and enrollment, reported as correctly engrossed title XI of the proposed revision.

Mr. Hand from committee on the judiciary, reported back title XVI of the proposed revision without amendment, and the title was referred to the committee of the whole and placed on the general order.

Mr. Ames from the committee on engrossment and enrollment, reported as correctly engrossed,

A 'bill to provide for the re-assessment of certain non-resident highway taxes for 1845, on lands in the township of Ogden, Lenawee county;'

A 'bill to repeal a certain act, and for other purposes;' and,

A 'bill to change the name of the village of Newburg.'

Mr. W. Lewis from the committee on roads and bridges, reported 'bill to provide for the improvement of the road running from the village of Paw Paw, in the county of Van Buren, to the village of Allegan in the county of Allegan," which was read twice, referred to the committee of the whole, and ordered to be printed.

Also, reported adverse to prayer of the petitions of H. Gardner, and other inhabitants of Branch county, and of Stephen B. Crawford, and others of Jackson county, which report was accepted.

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, March 7, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, 'an act to authorize the treasurer of the township of Sharon, to make return of delinquent taxes of said township to the treasurer of the county of Washtenaw.'

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
March 7, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title IX of the re-

vision, and to respectfully inform you that the Senate have receded from all their amendments thereto, in which the House non-concurred, except the twenty-eighth amendment, in which they insist.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

On motion of Mr. C. Baldwin, the House receded from their disagreement to the twenty-eighth Senate amendment to title IX, and concurred therein.

The title was then ordered to be enrolled.

Mr. Sanborn, pursuant to previous notice, asked and obtained leave to introduce a 'a bill to re-attach certain townships to the county of Lapeer, as a part of the territory and jurisdiction thereof," which was read twice and referred to a select committee, consisting of Messrs. Sanborn, Walker and Hazleton.

On motion of Mr. Walker,

The 'bill to incorporate the Port Huron and Lake Michigan railroad company,' was taken from the table and referred to the committee of the whole.

The 'bill to provide for the re-assessment of certain non-resident highway taxes for 1845, on lands in the township of Ogden, Lenawee county;'

The 'bill to change the name of the village of Newburg,' and

The 'bill to repeal a certain act, and for other purposes,' were severally read the third time and passed, and

On motion of Mr. Hand,

The title of the last named bill was amended so as to read "a bill to repeal an act to lay out and establish a state road from Lexington to Point aux Barques, and for other purposes."

Title XI of the proposed revision was then read the third time.

The House then went into committee of the whole on the proposed revision, Mr. Hawley in the chair.

And after a short time spent thereon, the committee rose and by their chairman reported that they had had under consideration Title XVI, on which they had made some progress, and asked leave to sit again thereon.

Which leave was not granted by the House.

Mr. Hollister moved a call of the House, which was not ordered.

On motion of Mr. Hawley,

Title XVI was laid on the table.

The House then went into committee of the whole on the general order, Mr. Edmunds in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back to the House,

A "bill to provide for laying out certain state roads;"

A "bill to amend the charter of the Cottonwood Swamp Turnpike company;"

A "bill to organize certain townships;" and

A "bill to amend the charter of the Troy and Rochester Railroad company;" to which bills they had made sundry amendments, in which the concurrence of the House was asked.

The amendments to the "bill to organize certain townships," were severally non concurred in.

On motion of Mr. Sanborn,

Section seven of the bill was amended by striking out the word "Albion," and inserting "Oregon."

On motion of Mr. Barbour,

Section six was amended by striking out the word "Smithfield," and inserting "California."

Mr. Ransom moved to amend section five by striking out "Wakeshma," and inserting "Pleasant," which motion was lost.

On motion of Mr. Hand,

A section was added, changing the name of the township of Wayne, in the county of Wayne, to Romulus.

On motion of Mr. A. C. Baldwin,

A section was added, changing the name of the township of Iosco, in Livingston county, to Lancaster.

The bill was then ordered to be engrossed and read the third time.

The amendments to the 'bill to amend the charter of the Troy and Rochester Railroad company,' were concurred in, and the bill ordered to be engrossed and read the third time.

The amendments to the 'bill to provide for laying out certain state roads,' were severally concurred in, and the bill was ordered to be engrossed for a third reading.

On motion of Mr. Ransom the 'bill to amend the charter of the Cottonwood Swamp Turnpike Company,' was laid on the table.

Mr. Ames from the committee on engrossment and enrollment, reported as correctly enrolled the 'bill to apportion anew the Representatives and Senators among the several counties and districts of this state,' and that the same was this day presented to the governor for his approval.

On motion of Mr. Ames, the 'bill to repeal the charter of the village of Dearbornville,' was taken from the table and ordered to be engrossed for a third reading.

On motion of Mr. Giddings, the vote was reconsidered by which the 'bill to provide for laying out certain state roads,' was ordered to be engrossed and read the third time.

On motion of Mr. Hazelton,

The vote was reconsidered by which the House concurred in the amendment to section five of the bill, made in committee of the whole, and the amendment was then non-concurred in.

On motion of Mr. Hawley, the bill was laid on the table.

Mr. Jones asked and obtained the unanimous consent of the House to re-introduce the "bill to incorporate the Vermontville Academical Association," which was then read twice and laid on the table.

On motion of Mr. Groves, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr Blair,

The committee on judiciary were discharged from the further consideration of titles XVII, XVIII, XIXand XX of the proposed revision, and these titles were referred to the committee of the whole, and placed on the general order.

On motion of Mr. Barbour,

The House went into committee of the whole on the proposed revision, Mr. Blair in the chair, and after some time spent thereon, the committee rose, and by their chairman reported back title XVII with sundry amendments, in which the concurrence of the House was asked; also reported that they had had under consideration title XVIII,

on which they had made some progress, and asked and obtained leave to sit again.

The amendments to title XVII were severally concurred in.

Mr. Ransom offered the following proviso to section eight, of chapter seventy-two:

"Provided however, that the probate court shall not be obliged to appoint commissioners, as required by the first section of this chapter, and in case commissioners be not appointed, said court shall have the same authority, and perform the duties as herein prescribed respecting commissioners, and all other provisions herein shall apply to proceedings in the probate court," pending which

On motion of Mr. Hand, the title and amendment were laid on the table.

Mr. Ames, from the committee on engrossment and enrollment reported as correctly engrossed, a "bill to organize certain townships, and for other purposes," and a "bill to repeal the charter of the village of Dearbornville."

On motion of Mr. Hand,

Title XVI of the proposed revision was taken from the table, and the following was added to section one of chapter sixty-eight:

And any married woman may devise and dispose of any real or personal property held by her, or to which she is entitled in her own right, by her last will and testament in writing, and may alter or revoke the same in like manner that a person under no disability may do the same, provided that no such will, alteration or revocation shal be of any validity without the consent of the husband of such married woman, in writing, annexed to such will, alteration or revocation, and attested and subscribed, and to be proven and recorded in like manner as a last will and testament is required to be witnessed, proven and recorded.

On motion of Mr. Hawley,

The words "at sea" were stricken out of the fourth line of section six, in the same chapter, and "on ship-board" inserted.

On motion of Mr. Hand,

The words "to peform," were inserted after "neglect" in the first line of section fifteen.

Title XVI was then ordered to be engrossed for a third reading.

The "bill to organize certain township and for other purposes," was read the third time and passed.

On motion of Mr. Groves, the House adjourned.

Tuesday, March 10, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. Brotherson, Chubb, Graham, Hand, Leland, Noble, Pierce, Sprague, Ten Eyck and Wakeman were absent on leave, and Mr. O'Malley was absent without leave.

The journal of yesterday was read and corrected.

PETITIONS PRESENTED.

By Mr. Hazelton, the remonstrance of E. Vandeventer and other citizens of Genesee county, against re-attaching certain townships to the county of Lapeer; referred to the select committee on that subject.

By Mr. Blair, the petition of T. S. Myrick, asking the insertion of a clause in the act incorporating the Michigan Central Rail-road company, requiring said company to construct a branch road north from the village of Jackson, through the village of Mason, to the Grand River; referred to the select committee on the sale of the public works.

Also, of Wm. J. Moody and other citizens of Jackson, asking an alteration of the law so as to provide for the appointment of but one school inspector, instead of three; laid on the table.

Mr. Hand from the committee on the judiciary, reported a "bill to authorize Lucius Patterson to erect a dam across Flat river, in the county of Ionia;" and

A "bill to authorize Josiah Russell, Thomas H. Myers and Ira Porter, to erect a dam across Flat river in the county of Montcalm," which bills were read twice and referred to the committee of the whole.

Also reported back the Senate "joint resolution relative to the claim of David Dickson," without amendment, and recommended its passage.

The report was accepted, and the resolution referred to the committee of the whole.

Mr. Hand, from the committee on the judiciary, to whom was referred the following petitions, reported adverse to the prayer of said petitions, and asked to be discharged from the further consideration of the same; which reports were accepted:

Of Wm. Beidalman and others, for authority to convey certain real estate;

Of E. D. Lacy, and others, for the passage of a law to prevent the taking of fish from Kalamazoo lake during the winter;

Of Washington Pitcher and others, relative to fences;

Of Lydia Ann Storm, and others, for authority to convey certain real estate;

Of A. H. Ballard, and others of Washtenaw county, for a repeal or modification of the license law;

Of Henry Post, and others of Clinton county, asking that prosecuting attorneys may be mulcted when their indictments are quashed for imperfections;

Of Edward Smith, and others of Jackson county, for an amendment of the license law;

Of E. Thornton, and others of the township of Homer, for the vacation of a part of the village plat of Homer;

Of the heirs and legatees of Seth Jaqua, for the passage of a law legalizing the last will of said Jaqua;

Of A. W. Wales, and others of Macomb county, relative to official oaths.

Mr. Hand, from the committee on the judiciary, to whom was referred the Senate "bill to vacate a portion of the plat of the village of Unadilla," reported the same back and recommended that the same do not pass.

The report was not accepted, and

On motion of Mr. Hazleton,

The bill was referred to the committee of the whole.

Mr. Hand, from the committee on the judiciary, to whom was referred the Senate "bill for the relief of Emaline A. Weaver," reported the same back without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Mr. Hand, from the committee on the judiciary, to whom was referred the petition of citizens of the township of Quincy, Branch county, relative to the highway laws, reported that no legislation was necessary as the matter referred to in the petition had been already provided for.

The report was accepted and the committee discharged from the further consideration of the subject.

The following message was received from the Senate:

SENATE CHAMBER,
March 7, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the "bill to amend an act entitled an act to incorporate the village of Adrian," and to respectfully inform you that the Senate have passed the same, with an amendment to the title thereof, in which the concurrence of the House is respectfully asked.

Also, to respectfully inform you that the Senate have concurred in the House amendment to the "preamble and joint resolution for the relief of Thomas K. Green," and have ordered the same as amended to be enrolled.

Also, to respectfully inform you that the Senate have receded from their fourth, tenth, twelfth, twentieth, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-ninth and thirtieth amendments to title IX of the revision, and insist upon their twenty-eighth amendment thereto; and that Senators Smith, Hale and Green have been appointed a committee of conference on the part of the Senate upon the disagreement between the two Houses.

Also, to respectfully inform you that the Senate have non-concurred in the House amendment to the twenty-third Senate amendment to titles VI and VII of the revision, and insist upon their amendment as originally made, and that Senators Smith, Hale and Green have been appointed a committee of conference on the part of the Senate upon the disagreements between the two Houses upon said titles.

Also, to respectfully inform you that the Senate have receded from their third and fourth amendments to title III of the revision, and in-

sist upon their sixth, seventh, tenth, eleventh and seventeenth amendments thereto, and that Senators Hale, Smith and Green have been appointed a committee of conference on the part of the Senate upon said disagreements.

Also, to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the disagreement between the two Houses, upon the "bill to provide for the payment of John Ball and others," have concurred in the House amendment thereto, and have ordered the bill as amended to be enrolled.

Respectfully, &c.

JAS. E. PLATT,
Secretary of Senate.

The Senate amendment to the title of the "bill to amend an act entitled an act to incorporate the village of Adrian," was concurred in, and the bill as amended was ordered to be enrolled.

Mr. Barbour, pursuant to previous notice, asked and obtained leave to introduce a "bill to authorize the sale of a part of section sixteen, in the township of Pennfield, Calhoun county," which was read twice and referred to the committee on public lands.

Mr. Barrett, pursuant to previous notice, asked and obtained leave to introduce a "bill to provide for the administration of justice," which was read twice, and referred to the committee of the whole.

Mr. Hazelton moved to take from the files of last year, the remonstrance of the supervisors of the county of Genesee, in their official capacity, against re-attaching certain townships to the county of Lapeer; also the preamble and resolutions adopted at a convention of delegates duly chosen from the townships of Atlas, Davidson, Richfield and Forest, against re-attaching the above named townships as aforesaid; which motion prevailed.

Mr. Walker offered a joint resolution relative to the leasing of the Clinton and Kalamazoo canal, which under the rule, lies on the table one day.

Mr. A. C. Baldwin, gave notice that on some future day he should ask leave to introduce a bill to incorporate the Huron river canal company.

The bill to repeal the charter of the village of Dearbornville, was read the third time, and passed by the following vote:

YEAS.

Mr. Ames	Mr. Hazelton,	Mr. Palmer,
Andrews,	Hollister,	Parsons,
A. C. Baldwin,	Jones,	Patterson,
Barbour,	Kennedy,	Ransom,
Barrett,	Leach,	Rice,
Blair,	T. Lewis,	Scott,
Cook,	W. Lewis,	Sweeney,
Edmunds,	McDonald,	Thomas,
Giddings,	Moran,	Toll,
Glen,	O'Malley,	Wing,
Groves	Ord,	Speaker,
Hand,		34

NAYS.

Mr. Cole, 1

The House then resolved itself into a committee of the whole on the proposed revision, Mr. Jones in the chair, and after some time spent thereon, the committee rose and by their chairman reported title XVIII back with sundry amendments, in which the concurrence of the House was asked.

On motion of the Speaker, [Mr. Hazelton in the chair,] the title and amendments were laid on the table.

On motion of Mr. Webster, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr Hazleton,

The House went into committee of the whole on the general order, Mr. Davis in the chair, and after some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A "bill to provide for improving the highway from Bellevue to Charlotte, in Eaton county;" and

A "joint resolution relative to the claim of David Dixson;"

Also, reported back a "bill to authorize Josiah Russel, Thomas H. Myers, and Ira Porter, to erect a dam across Flat river, in the county of Montcalm;"

A "bill to authorize Lucius Patterson to erect a dam across Flat river, in Ionia county;"

A "bill for the relief of Emaline A. Weaver;" and

A "bill to provide for the improvement of the road running from the village of Paw Paw, in the county of Van Buren, to the village of Allegan, in the county of Allegan," to which they had made sundry amendments, in which the concurrence of the House was asked.

The amendment to the "bill for the relief of Emaline A. Weaver" was concurred in, and the bill was ordered to a third reading.

The amendments to the bill to authorize Lucius Patterson to erec a dam across Flat river, in Ionia county, and to the bill to authorize Josiah Russell, Thomas Myers, and Ira Porter to erect a dam across Flat river, in the county of Montcalm, were severally concurred in.

On motion of Mr. Hazelton, the bills were laid on the table.

The joint resolution relative to the claim of David Dixon, was ordered to a third reading.

The bill to provide for improving the highway from Bellevue to Charlotte, in Eaton county, was ordered to be engrossed for a third reading.

The amendments to the bill to provide for the improvement of the road running from the village of Paw Paw, in the county of Van Buren, to the village of Allegan, in the county of Allegan, were nonconcurred in, and the bill was ordered to be engrossed for a third reading.

On motion of Mr. Patterson.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Scott in the chair.

And after some time spent thereon the committee rose, and by their chairman reported title XIX back with sundry amendments, in which the concurrence of the House was asked; also reported that they had had title XX under consideration, had made some progress, and asked and obtained leave to sit again.

On motion of Mr. Barbour,

Title XIX, with the amendments, was laid on the table.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly engrossed,

A "bill to provide for improving the highway from Bellevue to Charlotte in Eaton county," and

A "bill to provide for the improvement of the road running from the village of Paw Paw, in the county of Van Buren, to the village of Allegan, in the county of Allegan."

Mr. Ames, from the same committee, reported as correctly engrossed, the "bill to amend the charter of the Troy and Rochester rail road company."

On motion of Mr. Rice,

The House adjourned.

Wednesday, March 11, 1846.

The House met pursuant to adjournment, was called to order by the Speaker,

Prayer by Rev. Mr. Harrison.

The roll was called and Messrs. Brotherson, Chubb, Graham, Hand, Sprague, and Ten Eyck were absent on leave, and Mr. Ames was absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Barbour, of A. Noble and six hundred and fifty others, for a charter for a railroad from Battle Creek to Grand Rapids; referred to the committee on banks and incorporations.

By Mr. Morse, of William H. Ames and other citizens of Ionia county, for the passage of a law requiring the payment of non-resident taxes, in the counties to which they belong; referred to the select committee on the subject of the tax law.

REPORTS.

Mr. Scott, from the committee on roads and bridges, reported a "bill to repeal an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843," which was read twice and referred to the committee of the whole.

Mr. T. Lewis, from the committee on the organization of townships and counties, reported a "bill to organize the township of South Haven, in the county of Van Buren, and for other purposes," which was read twice and laid on the table.

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, March 10, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the

secretary of state, "an act to apportion anew the Representatives and Senators among the several counties and districts of the state."

ALPHEUS FELCH.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Hazleton,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by a general law for the construction of dams across navigable rivers on streams in this state, and report at the earliest possible day, by bill or otherwise.

On motion of Mr. Barbour,

The "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids, in the county of Kent, approved March 12, 1845," was taken from the table.

On motion of Mr. Morse,

The "bill to authorize Josiah Russell, Thomas H Myers, and Ira Porter, to erect a dam across Flat river, in the county of Montcalm," and

The "bill to authorize Lucius Patterson to erect a dam across Flat river, in Ionia county," were taken from the table.

On motion of Mr. Hazleton,

The "bill to provide for the construction of a certain state road," was taken from the table.

On motion of Mr. Hazleton,

The "bill to incorporate the Corunna and Northampton turnpike company," was taken from the table, and referred to the committee of the whole.

On motion of Mr. Walker,

The "joint resolution relative to the leasing of the Clinton and Kalamazoo Canal," was taken from the table, read twice and referred to the committee of the whole.

On motion of Mr. Rice,

The vote was reconsidered by which the House concurred in the Senate amendment to the title of the "bill to amend an act entitled an act to incorporate the village of Adrian,"

And the question recurring on concurring in the amendment, it was non-concurred in.

Mr. Edmunds gave notice that on some future day, he should ask leave to introduce a bill to vacate a part of Morse and Ballentine's addition to the village of Ypsilanti, and for other purposes.

THIRD READING OF BILLS.

The "bill to provide for the improvement of the road running from the village of Paw Paw, in the county of Van Buren, to the village of Allegan, in the county of Allegan:"

The "bill for the relief of Emaline A. Weaver;"

The "joint resolution relative to the claim of David Dixon," and

The "bill to provide for improving the highway from Bellevue to Charlotte, in Eaton county," were severally read the third time and passed.

The "bill to amend the charter of the Troy and Rochester Railroad Company," was read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Patterson,
A. C. Baldwin,	Jones,	Ransom,
C. Baldwin,	Kennedy,	Rice,
Barbour,	Leland,	Sanborn,
Barrett,	Leach,	Scott,
Blair,	W Lewis,	Sprague,
Cole,	McDonald,	Sweeney,
Davis,	Moran,	Thomas,
Dunham,	Morse,	Toll,
Glen,	O'Malley,	Wakeman,
Groves,	Ord,	Walker,
Hand,	Palmer,	Wing,
Hawley,	Parsons,	Speaker,
Hazelton,		40

NAYS.

Mr. Andrews,	Mr. T. Lewis,	Mr. Webster,
Cook,	Pierce,	5

UNFINISHED BUSINESS.

The "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry to Grand Rapids, in the county of Kent, approved March 12, 1845," was passed by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Hollister,	Mr. Parsons,
Barbour,	Jones,	Patterson,
Barrett,	Kennedy,	Pierce,

37

secretary of state, "an act to apportion anew the Representatives and Senators among the several counties and districts of the state."

ALPHEUS FELCH.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Hazleton,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by a general law for the construction of dams across navigable rivers on streams in this state, and report at the earliest possible day, by bill or otherwise.

On motion of Mr. Barbour,

The "bill to repeal a part of act No. 24, establishing and providing for the construction of a state road from a certain point in the county of Barry, to Grand Rapids, in the county of Kent, approved March 12, 1845," was taken from the table.

On motion of Mr. Morse,

The "bill to authorize Josiah Russell, Thomas H Myers, and Ira Porter, to erect a dam across Flat river, in the county of Montcalm," and

The "bill to authorize Lucius Patterson to erect a dam across Flat river, in Ionia county," were taken from the table.

On motion of Mr. Hazleton,

The "bill to provide for the construction of a certain state road," was taken from the table.

On motion of Mr. Hazleton,

The "bill to incorporate the Corunna and Northampton turnpike company," was taken from the table, and referred to the committee of the whole.

On motion of Mr. Walker,

The "joint resolution relative to the leasing of the Clinton and Kalamazoo Canal," was taken from the table, read twice and referred to the committee of the whole.

On motion of Mr. Rice,

The vote was reconsidered by which the House concurred in the Senate amendment to the title of the "bill to amend an act entitled an act to incorporate the village of Adrian,"

And the question recurring on concurring in the amendment, it was non-concurred in.

NAYS.

Mr. Andrews,	Mr. Hollister,	Mr. Sweeney,	
Barbour,	W. Lewis,	Toll,	
Glen,	Moran	Wakeman,	
Groves,	Morse,	Walker,	
Hand,	O'Malley,	Speaker,	15

The second and third amendments were severally concurred in.

The fourth amendment, striking out the word "twelve" in the first line of section one, in chapter sixty, and inserting eight, and a division of the question being called for, and being first taken on striking out, it prevailed by yeas and nays as follows:

YEAS.

Mr. Andrews,	Mr. Hazleton,	Mr. Palmer,	
A. C. Baldwin,	Hollister,	Ransom,	
C. Baldwin,	Jones,	Rice,	
Barbour,	Kennedy,	Sanborn,	
Barrett,	Leach,	Scott,	
Blair,	T. Lewis,	Sprague,	
Cole,	W. Lewis,	Sweeney,	
Cook,	McDonald,	Thomas,	
Davis,	Moran	Toll,	
Dunham,	Morse,	Wakeman,	
Giddings,	Noble,	Webster,	
Glen,	O'Malley,	Wing,	
Groves,	Ord,	Speaker,	39

NAYS.

Mr. Edmunds,	Mr. Leland,	Mr. Peck,	
Hand,	Parsons,	Pierce,	
Hawley,	Patterson,	Walker,	9

Mr. Walker moved to amend the amendment by striking out the word "eight" and inserting the word "ten" in its stead, which motion was lost by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Leland,	Mr. Peck,	
Barrett,	Leach,	Pierce,	
Edmunds,	T. Lewis,	Ransom,	
Hand,	Parsons,	Walker,	
Hawley,	Patterson,		14

NAYS.

Mr. Andrews,	Mr. Hazleton,	Mr. Palmer,	
A. C. Baldwin,	Hollister,	Ransom,	
Barbour,	Jones,	Rice,	
Blair,	Kennedy,	Scott,	
Cole,	W. Lewis,	Sprague,	

Cook,	McDonald,	Sweeney,	
Davis,	Moran,	Thomas,	
Dunham,	Morse,	Toll,	
Giddings,	Noble,	Wakeman,	
Glen,	O'Malley,	Wing,	
Groves,	Ord,	Speaker,	33

The question then being on concurring in the amendment made by the committee of the whole, inserting the word 'eight,' it was concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. O'Malley,	
Andrews,	Hawley,	Ord,	
A. C. Baldwin,	Hazelton,	Palmer,	
C. Baldwin,	Hollister,	Ransom,	
Barbour,	Jones,	Rice,	
Barrett,	Kennedy,	Scott,	
Blair,	T. Lewis,	Sprague,	
Cole,	W. Lewis,	Sweeney,	
Cook,	McDonald,	Thomas,	
Davis,	Moran,	Toll,	
Dunham,	Morse,	Wakeman,	
Giddings,	Noble,	Wing,	
Glen,			37

NAYS.

Mr. Edmunds,	Mr. Parsons	Mr. Sanborn,	
Hand,	Patterson,	Walker,	
Leland,	Peck,	Speaker,	
Leach,	Pierce,		11

Mr. Ames from the committee on engrossment and enrollment, reported as correctly engrossed, titles XIII, XIV, and XV of the proposed revision, and also reported titles I and II as correctly enrolled.

On motion of Mr. Groves, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The consideration of title XII of the proposed revision, was resumed.

The question being on concurring in the amendments made in committee of the whole, the fifth and sixth amendments were severally concurred in.

The seventh amendment was,

On motion of Mr. Groves,

Amended by striking out the last proviso, and inserting in lieu thereof the following: *Provided further*, That the foregoing proviso shall not apply to any one who shall hereafter forfeit his lands from paying for the improvements thereon; nor shall they apply in any case of forfeiture that may hereafter be made.

Mr. Hand moved to further amend the amendment by striking out of the first proviso the words "or who hereafter may make improvements."

Which motion was lost, and the seventh amendment, as amended, was then concurred in.

The eighth, ninth, tenth, eleventh and twelfth amendments were severally concurred in.

Mr. Rice moved to amend section one of chapter sixty, by inserting after the word "sold," in the third line, the words, "at the above minimum price," and by inserting "hereafter," after the word 'once,' n the same line, which motion was lost by the following vote:

YEAS.

Mr. Barbour,	Mr. Parsons,	Mr. Sanborn,	
Dunham,	Patterson,	Sprague,	
Edmunds,	Peck,	Sweeney,	
Hand,	Pierce,	Walker,	
Hawley,	Rice,	Speaker,	
Leach,			16

NAYS.

Mr. Ames,	Mr. Giddings,	Mr. Morse,	
Andrews,	Glen,	Noble,	
A. C. Baldwin,	Groves,	Palmer,	
C. Baldwin,	Hollister,	Ransom,	
Barrett,	Jones,	Scott,	
Blair,	Kennedy,	Thomas	
Cole,	T. Lewis,	Toll,	
Cook,	W. Lewis,	Wakeman,	
Davis,	Moran,		26

Title XII was then ordered to be engrossed and read the third time.

On motion of Mr. Hazleton,

The House went into committee of the whole on the general order, Mr. Scott in the chair, and after some time spent thereon, the committee rose, and by their chairman reported back a "bill to equalize the valuation of property between the several counties, and to establish its minimum for the purposes of taxation," and

A "bill to incorporate the Corunna and Northampton turnpike company," to which they had made sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Walker,

The "bill to equalize the valuation of property between the several counties, and to establish its minimum for the purposes of taxation," was laid on the table.

The amendments to the bill to incorporate the Corunna and Northampton turnpike company," were severally concurred in.

On motion of Mr. C. Baldwin,

The words "on Sundays" were stricken out of the proviso to the tenth section.

The bill was then ordered to be engrossed for a third reading.

Titles XIII, XIV, and XV, of the proposed revision were, by unanimous consent, read the third time.

On motion of Mr. Sweeney, the House adjourned.

Thursday, March 12, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. Brotherson, Graham, Hand and Ten Eyck were absent on leave, and Messrs. Leach and Mac Donald were absent without leave.

The journal of yesterday was read and approved.

Mr. Giddings asked and obtained leave of absence for Mr. Leach for an indefinite period, on account of sickness in his family.

Mr. Barbour for Mr. Mac Donald for an indefinite period.

PETITIONS PRESENTED.

By Mr. Dunham, of Syerant Van Nest, of Lenawee county, for the legalizing of proceedings relative to the village plat of Dundee, in Monroe county; referred to the committee on the judiciary.

By Mr. Barbour, of inhabitants of Barry county, asking the incorporation of a company to construct a rail road from Battle Creek to Grand Rapids; referred to the committee on banks and incorporations.

Also, of citizens of Monroe and Hillsdale counties, asking the privilege of leasing the Southern Railroad; referred to the select committee on the sale of the public works.

By Mr. Rice, of D. C. Jackson and ninety-six others, of Lenawee county, for the sale of the public works; same reference.

By Mr. Pierce, the claim of P. Slingerland; referred to the committee on claims.

By Mr. Hazleton, the remonstrance of the board of supervisors of Genesee county, in their official capacity, against the re-attaching certain territory to the county of Lapeer; referred to the select committee on that subject.

By Mr. Giddings, the petition of Mitchell Hinsdell and others, of Kalamazoo, for the relief of Champlin Harris; referred to the committee on claims.

By Mr. Groves, of sundry citizens of Berrien county, for the sale of the public works; referred to the select committee on that subject.

Also, resolutions adopted by the board of the supervisors of Berrien county, in favor of the sale of the public works; same reference.

By Mr. Edmunds, the claim of James Sanders; referred to the committee on claims.

Also, the petition of Almira Brocraw, for authority to convey certain lands; referred to the committee on the judiciary.

Mr. Hawley, from the select committee to whom was referred the bill to establish the county of Detroit, and for other purposes, with instructions to amend the same, reported the bill back amended in accordance with the instructions, and,

On motion of Mr. Hazelton,

The bill was referred to the committee of the whole, and ordered to be printed.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Rice gave notice that on some future day he should ask leave to introduce a bill to vacate a part of the village plat of the village of Homer, in Calhoun county.

Mr. Chubb gave notice that on some future day he should ask leave to introduce a bill to authorize Lydia Ann Storm to convey certain real estate.

Mr. Chubb, also asked and obtained the unanimous consent of the

House (previous notice not having been given,) to introduce a bill to amend the charter of the village of Ann Arbor, which was read twice and referred to the committee on banks and incorporations.

Mr. A. C. Baldwin, pursuant to previous n otice, asked and obtained leave to introduce a bill to incorporate the Huron river Canal company, which was read twice and referred to the committee on banks and incorporations.

Mr. Pierce gave notice that he should, on some future day, ask leave to introduce a bill authorizing George W. Topping and Samuel D. Topping, minors, to convey real estate.

Mr. Barbour gave notice that he should, on some future day, ask leave to introduce a bill to incorporate the Marshall and Union City plank road company.

Mr. Blair gave notice that he should, on some future day, ask leave to introduce a bill to reduce the expenses of state printing, to provide for the publication of legal notices, and for other purposes.

On motion of Mr. Hand,

The "bill to equalize the valuation of property between the several counties, and to establish its minimum for the purposes of taxation," was taken from the table, and referred to the committee on ways and means, with instructions to report a bill for the equalization of taxes, which shall make provision for obtaining all requisite information upon which a correct estimate of the value of property in the state can be made; and also, a system by which valuation of property and equalization of taxes may be adjusted, corrected, and improved from time to time.

Mr. Edmunds gave notice that he should on some future day ask leave to introduce a joint resolution proposing an amendment to the second article of the constitution relative to the elective franchise.

On motion of Mr. Pierce,

Resolved, That the Commissioner of Internal Improvement be directed to report to this House a full statement of all the indebtedness of the internal improvement fund for or on account of the Central Railroad, not included in his last annual report, specifying whether such indebtedness is for labor done, services rendered, wood or other materials furnished, or private property taken, injured or destroyed, together with the number and value of cars damaged or destroyed,

and the injury done to machinery since the date of his last annual report.

Mr. Noble offered a resolution of intruction to the committee on the judiciary, relative to the judiciary system, which was,

On motion of Mr. Hazleton, laid on the table and ordered to be printed.

On motion of Mr. Hawley,

Resolved, That after Saturday next, this House will commence its morning sessions at nine o'clock, and its afternoon sessions at two o'clock.

The House then resolved itself into committee of the whole on the general order, Mr. A. C. Baldwin in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a "bill to provide for the administration of justice," on which they had made some progress, and asked and obtained leave to sit again.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to authorize Lucius Patterson to erect a dam across Flat river in the county of Ionia:

A bill to provide for the laying out of certain state roads:

A bill to incorporate the Corunna and Northampton turnpike company; and,

Title XII of the proposed revision.

On motion of Mr. Sweeney, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Patterson asked and obtained the unanimous consent of the House for leave to introduce a "bill to amend an act entitled 'an act to authorize the treasurer of the township of Sharon to make return of delinquent taxes of said township to the treasurer of the county of Washtenaw,' approved March 7, 1846," which was read twice, the rule suspended, and the bill ordered to be engrossed for a third reading.

Mr. Brotherson from the committee on engrossment and enroll-

House (previous notice not having been given,) to introduce a bill to amend the charter of the village of Ann Arbor, which was read twice and referred to the committee on banks and incorporations.

Mr. A. C. Baldwin, pursuant to previous notice, asked and obtained leave to introduce a bill to incorporate the Huron river Canal company, which was read twice and referred to the committee on banks and incorporations.

Mr. Pierce gave notice that he should, on some future day, ask leave to introduce a bill authorizing George W. Topping and Samuel D. Topping, minors, to convey real estate.

Mr. Barbour gave notice that he should, on some future day, ask leave to introduce a bill to incorporate the Marshall and Union City plank road company.

Mr. Blair gave notice that he should, on some future day, ask leave to introduce a bill to reduce the expenses of state printing, to provide for the publication of legal notices, and for other purposes.

On motion of Mr. Hand,

The "bill to equalize the valuation of property between the several counties, and to establish its minimum for the purposes of taxation," was taken from the table, and referred to the committee on ways and means, with instructions to report a bill for the equalization of taxes, which shall make provision for obtaining all requisite information upon which a correct estimate of the value of property in the state can be made; and also, a system by which valuation of property and equalization of taxes may be adjusted, corrected, and improved from time to time.

Mr. Edmunds gave notice that he should on some future day ask leave to introduce a joint resolution proposing an amendment to the second article of the constitution relative to the elective franchise.

On motion of Mr. Pierce,

Resolved, That the Commissioner of Internal Improvement be directed to report to this House a full statement of all the indebtedness of the internal improvement fund for or on account of the Central Railroad, not included in his last annual report, specifying whether such indebtedness is for labor done, services rendered, wood or other materials furnished, or private property taken, injured or destroyed, together with the number and value of cars damaged or destroyed,

and the injury done to machinery since the date of his last annual report.

Mr. Noble offered a resolution of intruction to the committee on the judiciary, relative to the judiciary system, which was,

On motion of Mr. Hazleton, laid on the table and ordered to be printed.

On motion of Mr. Hawley,

Resolved, That after Saturday next, this House will commence its morning sessions at nine o'clock, and its afternoon sessions at two o'clock.

The House then resolved itself into committee of the whole on the general order, Mr. A. C. Baldwin in the chair, and after some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a "bill to provide for the administration of justice," on which they had made some progress, and asked and obtained leave to sit again.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly engrossed,

A bill to authorize Lucius Patterson to erect a dam across Flat river in the county of Ionia:

A bill to provide for the laying out of certain state roads:

A bill to incorporate the Corunna and Northampton turnpike company; and,

Title XII of the proposed revision.

On motion of Mr. Sweeney, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Patterson asked and obtained the unanimous consent of the House for leave to introduce a "bill to amend an act entitled 'an act to authorize the treasurer of the township of Sharon to make return of delinquent taxes of said township to the treasurer of the county of Washtenaw,' approved March 7, 1846," which was read twice, the rule suspended, and the bill ordered to be engrossed for a third reading.

Mr. Brotherson from the committee on engrossment and enroll-

ment, reported the bill as correctly engrossed, and, the rule being suspended, the bill was read the third time and passed.

On motion of Mr. Barbour, the memorial of citizens of Monroe and Hillsdale counties, relative to the leasing of the Southern Railroad, was withdrawn from the select committee on the sale of the public works, and,

On motion of Mr. Wakeman, laid on the table.

The House then resolved itself into committee of the whole on the "bill to provide for the administration of justice," Mr. A. C. Baldwin in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. Hawley the House adjourned.

Friday, March 13, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. Graham, Leach, McDonald and Ten Eyck were absent on leave, and Messrs. Ames, Brotherson and Scott, were absent without leave.

The journal of yesterday was read and corrected.

Mr. Edmunds presented the petition of James M. Hogg, asking that his name be changed to James M. Hoag; referred to the committee on the judiciary.

Mr. Andrews, from the committee on education, reported a "joint resolution relative to certain books and documents," which was read twice and referred to the committee of the whole.

The following messages were received from the Senate:

SENATE CHAMBER,
March 11, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to change the name of the village of Newburg," and to respectfully inform you that the Senate have passed the same.

Also, to transmit a "bill to provide for the payment of John Ball,"

which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

SENATE CHAMBER,
March 7, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill to amend the charter of the village of Adrian," which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also, to respectfully inform you that the Senate have concurred in the House amendment to the "bill for the relief of Emaline A. Weaver," and have ordered the same as amended to be enrolled.

Respectfully, &c.
JAMES E. PLATT,
Secretary of Senate.

The "bill to change the name of the village of Newburg," was ordered to be enrolled.

The "bill to provide for the payment of John Ball" was read twice, and referred to the committee of the whole.

The "bill to amend the charter of the village of Adrian," was read twice and referred to the committee on banks and incorporations.

On motion of Mr. Jones,

The 'bill to incorporate the Vermontville Academical Association' was taken from the table, and the bill was ordered to be engrossed and read the third time.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed,

The "bill to authorize Josiah Russell, Thomas H. Myers, and Ira Porter, to erect a dam across Flat river, in the county of Montcalm,"

The 'bill to incorporate the Vermontville Academical Association' and title XVI of the proposed revision.

On motion of Mr. Patterson,

The "bill to incorporate the Adrian Joint Stock Church Company" was taken from the table, and referred to the committee on banks and incorporations, with instructions to inquire into the expediency of

amending the same, so that the property of the company shall be taxed in the ordinary manner.

Mr. Cole gave notice that on some future day he should ask leave to introduce a bill for the relief of George Buck.

On motion of Mr. Blair,

The memorial of Asher B. Bates, relative to leasing the state prison, was taken from the table, and referred to a select committee consisting of Messrs. Blair, Webster and Dunham.

Mr. Edmunds, pursuant to previous notice, asked and obtained leave to introduce a "joint resolution proposing to amend the second article of the constitution, relative to the elective franchise," which was read twice and referred to the committee on the judiciary.

Titles XII and XVI, of the proposed revision, were severally read the third time.

The "bill to authorize Josiah Russell, Thomas H. Myres, and Ira Porter, to erect a dam across Flat river, in the county of Montcalm;"

The "bill to authorize Lucius Patterson to erect a dam across Flat river, in Ionia county;" and

The "bill to provide for the laying out of certain state roads," were severally read the third time and passed.

The "bill to incorporate the Corunna and Northampton turnpike company," was read the third time, when

On motion of Mr. Hazleton,

The House unanimously consented to amend the proviso to the eighth section, by inserting therein the words "and shall erect no gate within half a mile of the village of Corunna."

The bill was then passed, two thirds voting in the affirmative, as follows:

YEAS.

Mr. Andrews,	Mr. Hand,	Mr. Peck,
A. C. Baldwin,	Hawley,	Rice,
C. Baldwin,	Hazleton,	Sanborn,
Barbour,	Hollister,	Scott,
Barrett,	Jones,	Sprague,
Blair,	Leland	Sweaney,
Brotherson,	T. Lewis,	Thomas,
Chubb,	W. Lewis,	Toll,
Cole,	Moran,	Wakeman,
Davis,	Morse,	Webster,

Dunham,	O'Malley,	Wing,	
Glen,	Palmer,	Speaker,	
Groves,	Patterson,		38

NAYS.

Mr. Cook,	Mr. Giddings,	Mr. Parsons,	
Edmunds,	Kennedy,	Pierce,	6

The "bill to incorporate the Vermontville Academical Association" was read the third time and passed by the following vote, two thirds voting in its favor as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Hawley	Mr. Palmer,	
C. Baldwin,	Hazelton,	Patterson,	
Barbour,	Jones,	Peck,	
Barrett,	Leland,	Pierce,	
Blair,	T. Lewis,	Scott,	
Cole,	W. Lewis,	Sprague.	
Edmunds,	Moran,	Sweeney,	
Glen,	Morse,	Toll,	
Groves	O'Malley,	Webster,	
Hand,			28

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr. Sanborn,	
Davis,	Noble,	Wakeman,	
Dunham,	Parsons,	Wing,	
Hollister,	Rice,	Speaker,	12

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly enrolled the "bill to change the name of the village of Newburg," and that the same was this day presented to the governor for his approval.

The House then resolved itself into committee of the whole on the "bill to provide for the administration of justice," Mr. A. C. Baldwin in the chair, and after some time spent thereon the committee rose, and by their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. Webster, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

Mr. Ames from the committee on engrossment and enrollment, reported as correctly enrolled, title IV of the proposed revision.

The House then resolved itself into committee of the whole on the "bill to provide for the administration of justice," Mr. A. C. Baldwin the chair.

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Moran, the House adjourned.

Saturday, March 14, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called and Messrs. Graham, Leach, McDonald, Noble and Ten Eyck were absent on leave, and Mr. Ames was absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. A. C. Baldwin, of Isaiah J. Hudson, for relief; referred to the committee on public lands.

By Mr. W. Lewis, of Moses Lawrence, and forty-five others, for for an alteration of the law, laying out a certain state road; referred to the committee on roads and bridges.

REPORTS.

Mr. Hawley from the committee on banks and incorporations, reported back the "bill to amend the charter of the village of Ann Arbor," with amendments, and recommended its passage.

The report was accepted, the bill referred to the committee of the whole, and ordered to be printed.

Mr. W. Lewis, from the committee on roads and bridges, reported a "bill supplementary to an act of the session laws of 1845, for laying out a state road from Grand Rapids in Kent county, to Muskegon Lake, in Ottawa county," which was read twice, referred to the committee of the whole and ordered to be printed.

Mr. C. Baldwin from the committee on claims, reported adverse to the prayer of the following petitions, which report was accepted and the committee discharged from the further consideration thereof:

Of Mitchell Hinsdell, and others, for the relief of Champlin Harris; and,

Of John M. Wilcox, for damages sustained in the construction of the Clinton and Kalamazoo canal.

On motion of Mr. C. Baldwin, the petitioners were granted leave to withdraw their papers.

Mr. Noble from the committee on the judiciary, reported a "bill to change the name of James M. Hogg," which was read twice, and referred to the committee of the whole.

The following communication was received from the Executive:

EXECUTIVE OFFICE,
Detroit, March 13, 1846.

To the Senate and
House of Representatives:

In compliance with the request contained therein, I herewith transmit a copy of a resolution adopted by the Legislature of the State of Ohio, together with a report on the subject of the southern boundary of that state.

ALPHEUS FELCH.

EXECUTIVE OFFICE, OHIO,
Columbus, March 2, 1846.

SIR:—I have the honor herewith to transmit to you a copy of a joint resolution, passed by the legislature of this state.

Respectfully, yours,

M. BARTLEY, *Governor.*

Report of the Standing Committee on the Judiciary, in relation to the Southern Boundary of the State of Ohio—In Senate, February 27, 1846.

Mr. Perkins, from the standing committee on the judiciary, made the following

REPORT:

The standing committee on the judiciary, to which was referred so much of the message of the Governor as relates to the capture of certain citizens of Ohio, and to the correspondence of the executive of this state with the executive of Virginia, report:

That, from the report of the testimony given on the examination in Virginia of the charge against the Ohio citizens, and from the oth-

or testimony adduced, they are satisfied that the acts done by the Ohio citizens were done on the bank of the Ohio river, on the north-west side, between low and high water mark. It seems to be conceded, that they were captured by citizens of Virginia, far above low water mark; they were kidnapped there and forcibly conveyed, under threat of death upon resistance, out of Ohio to Virginia, and there subjected to imprisonment and a judicial trial, and are since, on disagreement of the court, under peculiar circumstances, let out on bail. The special verdict of the jury finds, however, that the Ohio citizens did step into the water of the river in assisting the negroes to escape, though, as above suggested, we are not, from the proof, satisfied of that fact.—Be that fact as it may, the Virginia citizens had no authority to pursue our citizens into the state of Ohio and take them away. The act of doing this, is a crime against our laws; and the refusal of the executive of Virginia to give up the offenders against our laws, was a breach of the plighted faith between the States, and an infraction of the Constitution and laws of the United States.

The state is bound to protect the personal liberty of our citizens. The seizing and carrying them away, by citizens of another state, and the justification of the outrage, by the authorities of such other state, is a matter of grave consideration. But beyond all this lies the real question, that in which the public, now and in all coming time, are interested, the boundary and limits of our state.

It is sometimes insisted by our southern neighbors, that the boundary between them and us, is the high water mark on the north-west side of the river; at other times, that it is the water's edge, wherever it may be at the time, between the lowest stage and the highest.—at other times they say it is low water mark. Your committee believe each of these propositions is wrong. If the high water mark is the boundary, then a valuable portion of our cities and farms along the Ohio which has been known to rise sixty-five feet, is in Virginia and Kentucky, and thousands of persons, heretofore supposing themselves citizens of Ohio, are inhabitants of other states. If the line of boundary changes with the varying river, then these citizens and this property are to-day within the bounds of Ohio, to-morrow in Virginia or Kentucky. If the line of boundary is low water mark, yet insufferable evils to our citizens must ensue.

Wherever a pier is built out into the river from the Ohio shore, the end of the pier will be in Kentucky, subject to her laws, property on it subject to her taxation, offences committed on it subject to her laws, and citizens of Ohio for them may be seized and taken to a foreign state, tried and convicted among strangers for offences against laws, of the existence of which they knew nothing, and to which, being citizens of Ohio, they were not of their own accord amenable. The visit of the foreign sheriff and his posse could not fail to engender anger, and outrage and strife, resulting in bloodshed, and attended with bitterness between the adjoining States. Water pipes to supply the inhabitants of our cities and towns on the river, must, of course, penetrate the river beyond low water mark, and thus become a trespass on the territories of foreign states, from which circumstance innumerable vexations and conflicts, of a public and private nature, must arise.

The above considerations convince your committee, that the boundary line ought to be the centre of the main channel of the river. We proceed to inquire where, by law, it in truth is.

Vattel says: "In all cases of doubt, every country, lying upon a river, is presumed to have no other limits but the river itself; because nothing is more natural than to take a river for a boundary, where a state is established on its borders; and wherever there is doubt, that is to be presumed, which is most natural and most probable."

This proposition of Vattel, your committee esteem an axiom. Taking it as such, it could never be apprehended that, where two nations are separated by a river, either should own it to the opposite shore. Each government would doubtless, by compact, for the protection of their property and citizens navigating it, extend their laws over the surface of the water; but, for all other purposes, each would own to the centre of the river—that would be the boundary line.

But it is said Virginia formerly extended across the river, and, in her boundaries, embraced much of what is now the three states northwest of the Ohio, or at least, that she owned the territory. Without stopping to discuss this saying, your committee add that it is thereupon claimed, that the rights of the states northwest of the Ohio, and their boundary are defined and established by the express terms of the

Virginia deed of cession or by its fair construction. Conceding, for the purpose of this discussion, both these propositions, your committee proceed to the examination of the deed of cession and the construction of it.

In the deed of cession, Virginia ceded to Congress all her right and claim, as well of soil as jurisdiction, to the territory "situate, lying and being, to the northwest of the Ohio river." It is claimed that this excluded the river from the grant, and retained it to Virginia. But what was the southeastern boundary of the grant? The river. But a deed, bounding on a river, is always adjudged to embrace the one half of the river, or to extend to the centre of the main current. If so between individuals, much more, for the reasons above, should this be the understanding between states.

If doubts exist, then we are to refer to such lights as will serve to illustrate the subject. These are, the other parts of the deed, the practice and construction near the time of its execution, and the laws or customs of nations. In the same deed of cession, Virginia stipulates that the territory conveyed shall be formed into states "having the same rights of sovereignty, freedom and independence, as the other states." On the construction claimed by our neighbors, our state is not, as we have shown, either sovereign, free, or independent; but our citizens and their property, while under the authority of our laws, are yet subject to the laws of foreign states.

The ordinance of 1787, provides that the states northwest of the Ohio river, shall be bounded "by the Ohio," without any limitation. To this ordinance Virginia, by her delegates, was a party. Her deed of cession was made before the ordinance, and again by an amendment, in other respects, afterwards confirmed. By the constitution of Ohio, accepted in Congress, the state is bounded "on the south by the Ohio river," without any limitation. It seems to your committee that neither Congress, nor Virginia there represented, would have allowed this phrase in the ordinance or the Constitution, unrestricted, if Virginia had, by her deed, intended that the boundary should be any other than the centre of the river, that being the manifest intention and authorized construction of both the ordinance and the Constitution, as Ohio is bounded thereby on the river, and we have shown that a boundary on the river, unrestricted, *ex vi termini*, extends to its centre.

To the above reasoning, may be added the authority of the customs of nations, as already quoted from Vattel, that "wherever there is doubt, that is always to be presumed which is most natural and most probable." For we may well ask, was it intended by Virginia when, with maternal care, she provided for "the sovereignty, freedom and independence" of her offspring, to subject them to the manifold evils sure to attend the boundary at the line of low water mark, or any other line than the centre of the river, particularly, when she neither reserved or obtained any thing of real value to herself? For the power to harrass and annoy a neighboring state, can be of no value to any but a belligerent nation. And it may again be asked, would Ohio, or Indiana, or Illinois, have consented to come into the Union with such incumbrances on their sovereignty? The "natural and most probable presumptions," then, are in favor of the construction of your committee.

Against this view of this deeply important subject, a judicial decision of the Supreme Court of the United States, in the case of Handley's Lessee vs. Anthony et al., 5 Wheat. Rep. 374, is cited. The action was ejectment, to recover a point of land on the Indiana side of the Ohio river, under a Kentucky grant. The question was whether the land was in Kentucky or Indiana. During a portion of the year the waters of the Ohio, running in what is termed a bayou, separates the land demanded from the main land, the bayou entering the river below. During another portion of the year, and for several months, and when the water is low, it no longer surrounds the land. It is manifest from this statement, that the only point in litigation was, whether the land demanded was in Kentucky or Indiana. The Court was not called upon to decide where was the boundary line between the sovereign powers, nor could they decide this point, for neither state interested was in court. Their decision should have been, without attempting to settle the boundary, to declare that the land being above the river, was in Indiana, leaving the question of bounadry to be decided when made, and when the proper parties should be before the court. The judge, writing the decision, did, indeed, go farther, but whatever else he wrote was *obiter dicta*, and extra judicial. For a decision of boundary, then, the case is no authority; because,

First, the question did not arise in the case.

Second, the parties to such question were not before the court.

If it were otherwise, yet one judicial decision settles no question; it is only by a series of several decisions well considered, on the same point that the law is established.

In conformity with the views which your committee have submitted, they recommend the adoption of the resolution herewith reported.

Resolved by the General Assembly of the State of Ohio, That the southern boundary of the state of Ohio, is the centre of the main channel of the Ohio river.

Resolved, That the Governor be requested to forward a copy of the above resolution, and the report accompanying it, to the Executives of the several states, with the request that they lay the same before their respective legislatures; and, that a copy of the same be also forwarded to the Senators and Representatives in Congress from this state.

WM. L. PERKINS,
J. H. EWING,
T. W. POWELL,
JOSEPH NEWMAN,
CHARLES B. GODDARD.

On motion of Mr. Hazleton, the communication and accompanying document, were ordered to be entered on the journal, and were referred to the committee on federal relations.

The following communication was received from the Executive:

EXECUTIVE OFFICE,
Detroit, March 13, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State "an act to change the name of the village of Newburg."

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
March 13, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to amend an act entitled an act to authorize the treasurer of the township of

Sharon to make return of delinquent taxes of said township to the treasurer of the county of Washtenaw, approved March 7, 1846," and to respectfully inform you that the Senate have passed the same.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The bill returned from the Senate was ordered to be enrolled.

Mr. Barbour, pursuant to previous notice, asked and obtained leave to introduce a "bill to vacate a part of the village plat of the village of Homer, in Calhoun county,"

Which was read twice, and referred to the committee of the whole.

Mr. Blair gave notice that on some future day, he should ask leave to introduce a bill to incorporate the Wesleyan Seminary, and for other purposes.

On motion of Mr. Andrews,

The "bill to organize the township of South Haven, in the county of Van Buren, and for other purposes," was taken from the table and referred to the committee of the whole.

Mr. Ames, from the committee on engrossment and enrollment, reported the "bill to amend an act entitled an act to authorize the treasurer of the township of Sharon to make return of delinquent taxes of said township to the treasurer of the county of Washtenaw, approved March 7, 1846," as correctly enrolled, and that the same was this day presented to the Governor for his approval.

On motion of Mr. Noble,

The resolution of instruction to the committee of the judiciary, was taken from the table, and the same being under consideration,

Mr. Patterson moved to amend it by adding the following:

"Said committee shall take into consideration the expediency of abolishing the circuit courts, and of providing a system of county courts in place thereof; also of adopting such portions of existing systems, of the system of the revisor, and of the bill to improve the administration of justice, as may be necessary to conform to the spirit of the age, and substantially to reform and simplify the administration of justice."

Mr. Blair offered the following substitute for the amendment:

"Also, that said committee strike out of said title so much as re-

Monday, March 16, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and Messrs. Blair, Leach, MacDonald, Noble and Ten Eyck were absent on leave, and Messrs. Ames, T. Lewis, W. Lewis, Moran, Patterson, Sanborn and Thomas, were absent without leave.

Mr. Walker asked and obtained leave of absence for Mr. T. Lewis for an indefinite period, on account of indisposition.

PETITIONS PRESENTED.

By Mr. Hazleton, of Rev. J. G. Atterbury, C. C. Hascall, and other citizens of Flint, for an act of incorporation for the erection of a school house, suitable for district purposes, on the Union plan, in accordance with the recommendation of the Superintendent of Public Instruction; referred to the committee on education.

By Mr. Morse, of citizens of Ottawa county, for the removal of the seat of justice of said county; referred to the committee on the organization of townships and counties.

By Mr. Barbour, of sundry citizens, for an act of incorporation for a company to construct a rail-road from Battle Creek to Grand Rapids; referred to the committee on banks and incorporations.

The Speaker announced the following communication from the Governor:

EXECUTIVE OFFICE,
Detroit, March 14, 1846.

To the House of Representatives:

SIR:—I have this day approved, signed and deposited in the office of the Secretary of State, an "act to amend an act entitled an act to authorize the treasurer of the township of Sharon to make return of delinquent taxes of said township to the treasurer of the county of Washtenaw, approved March 7, 1846."

ALPHEUS FELCH.

Mr. Barbour gave notice, that on some future day, he should ask leave to introduce a "bill to incorporate the Battle Creek and Grand Rapids rail-road company."

On motion of Mr. Hazleton,

The House resolved itself into committee of the whole on the general order, Mr. A. C. Baldwin in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House without amendment:

A "bill for the relief of John Nardin;"

A "bill to vacate a part of the village plat of Homer;"

A "bill to vacate a part of the village plat of the village of Unadilla;"

A "bill to establish the county of Detroit, and for other purposes;"

A "joint resolution relative to leasing the Clinton and Kalamazoo canal;"

A "bill to organize the township of South Haven, in Van Buren county, and for other purposes;" and

A "joint resolution relative to certain books and documents;"

Also, reported back with sundry amendments, in which the concurrence of the House was asked:

A "bill to provide for the administration of justice;"

A "bill to provide for the payment of John Ball;"

A "bill to secure a pre-emption right of the purchase of certain lands to John Gardiner;"

A "bill supplementary to an act of the session laws of 1845, for laying a state road from Grand Rapids, in Kent county, to Muskegon lake, in Ottawa county."

The 'joint resolution relative to certain books and documents,' was ordered to be engrossed for a third reading.

On motion of Mr. Cook,

The joint resolution relative to the leasing of the Clinton and Kalamazoo canal was laid on the table.

On motion of Mr. Rice,

The bill to vacate a part of the village plat of the village of Unadilla, and the bill to vacate a part of the village plat of the village of Homer, were committed to a select committee, with instructions to embody all the propositions of a similar character before the House in one bill.

The Speaker appointed as such committee Messrs. Rice, Hazleton and Barbour.

The "bill to change the name of James M. Hogg," was ordered to be engrossed for a third reading, and

The "bill for the relief John Nardin," was ordered to a third reading.

The "bill to establish the county of Detroit, and for other purposes," was ordered to be engrossed and read the third time.

The amendments to the bill supplementary to the act of the session laws of 1845, for laying out a state road from Grand Rapids in Kent county, to Muskegon lake, in Ottawa county, was concurred in, and the bill ordered to be engrossed for a third reading.

The amendment to the bill to provide for the payment of John Ball was concurred in, and the bill ordered to a third reading.

On motion of Mr. Hazleton,

The bill to secure a pre-emption right of the purchase of certain lands to John Gardiner, together with the amendment striking out all after the enacting clause, was laid on the table.

On motion of Mr. Jones,

The bill to provide for the administration of justice, together with the amendments, was laid on the table.

On motion of Mr. Davis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Scott the chair.

And after some time spent thereon, the committee rose, and by their chairman reported title XX back with sundry amendments, in which the concurrence of the House was asked.

The first amendment made to the title was non-concurred in; and the remainder of the amendments were concurred in, and title XX was then ordered to be engrossed for a third reading.

On motion of the Speaker, (Mr. Hawley in the chair,) title XVIII of the proposed revision was taken from the table.

The Speaker offered the following resolution:

Resolved, That chapters 78 and 79 of titles XVIII of the proposed revision, be committed to a special committee with instructions to incorporate in said chapters the following provisions, viz:

1st. The principles of the act entitled an act to provide for the equitable settlement of the estates of deceased persons, approved march 8th, 1843, whereby the real estate of the deceased persons is sold or set-off in the payment of debts at its appraised cash value.

2d. Also a provision for the sale or set-off of real estate on execution on all debts hereafter contracted at its appraised cash value.

3d. Also a provision for the exemption from execution on all judgments for debts hereafter contracted, of a certain amount of real estate not exceeding forty acres.

On motion of Mr. Peck,

The resolution was laid on the table.

The House then resolved itself into committee of the whole on title V of the proposed revision, Mr. Scott in the chair, and after some time spent thereon the committee rose, and by their chairman reported progress and asked and obtained leave to sit again.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed,

A "joint resolution relative to certain books and documents;"

A "bill to change the name of James M. Hogg;"

A "bill to organize the township of South Haven, in the county of Van Buren, and for other purposes;"

A "bill to establish the county of Detroit and for other purposes;"

A "bill supplementary to the act of the session laws of 1845, for laying out a state road from Grand Rapids, in Kent county, to Muskegon lake, in Ottawa county."

On motion of Mr. Andrews, the House adjourned.

Tuesday, March 17, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

On calling the roll, Messrs. Blair, Hand, T. Lewis, McDonald and Ten Eyck were absent on leave, and Messrs. Ames, Brotherson, Dunham, Palmer, Patterson, Peck and Sanborn were absent without leave.

Mr. Rice asked and obtained leave of absence for Mr. Brotherson for the day.

Mr. Cole for Mr. Palmer, for an indefinite time on account of sickness in his family.

Mr. Noble for Mr. Walker for the day.

PETITIONS PRESENTED.

By Mr. Sanborn, of Isaac McKeen and eighty other legal voters of the village of Almont, Lapeer county, relative to laying out a certain state road; referred to the committee on roads and bridges.

Also, of George C. Bidwell, and others of Lapeer, for the incorporation of the Port Huron and Lake Michigan Railroad Company; laid on the table.

By Mr. W. Lewis, of H. A. Goodyear, and thirty-three other citizens of the counties of Barry, Kent and Ionia, for laying out a certain state road; referred to the committee on roads and bridges.

REPORTS.

Mr. Leland from the committee on roads and bridges, reported a "bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road," which was read twice, and referred to the committee of the whole.

Mr. Groves, from the committee on public lands, reported back the "bill to authorize the sale of a part of section sixteen, in the township of Pennfield, Calhoun county," without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. A. C. Baldwin gave notice that on some future day he should ask leave to introduce a bill to amend the act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844.

Mr. Chubb, pursuant to previous notice, asked and obtained leave to introduce a 'bill to authorize Lydia Ann Storm to convey certain real estate,' which was read twice and referred to the committee on the judiciary.

On motion of Mr. Pierce,

Resolved, That the committee on the militia, be and they are hereby instructed to report to this House, a bill to abolish militia trainings and musters, and to give encouragement to the formation of independent companies, with all convenient military despatch.

THIRD READING OF BILLS.

The 'bill to change the name of James M. Hogg;'

The 'joint resolution relative to certain books and documents;'

The 'bill to provide for the payment of John Ball;'

The 'bill to organize the township of South Haven, in the county of Van Buren, and for other purposes;' and

The 'bill supplementary to the act of the session laws of 1845, for laying out a state road from Grand Rapids in Kent county, to Muskegon Lake in Ottawa county,' were severally read the third time and passed.

The "bill for the relief of John Nardin" was read the third time, when,

On motion of Mr. Hand,

The House unanimously consented to amend the bill by adding the following proviso thereto:

"And provided further, that said land shall be subject to taxation in the same manner as if the fee of said land was vested in private persons."

And the bill was then passed.

By unanimous consent,

On motion of Mr. Groves,

The "bill to secure a pre-emption right of the purchase of certain lands to John Gardiner," was taken from the table, and the amendment made in committee of the whole was non-concurred in, and the bill ordered to a third reading, read the third time and passed.

The "bill to establish the county of Detroit, and for other purposes," was read the third time and passed by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Giddings,	Mr. Parsons,
C. Baldwin,	Graham,	Patterson,
Barbour,	Hawley,	Pierce,
Barrett,	Hazleton,	Ransom,
Blair,	Jones,	Rice,
Chubb,	Kennedy,	Sanborn,
Cole,	Leland,	Sprague
Cook,	Leach,	Webster,
Davis,	Morse,	Wing,
Edmunds,	Noble,	Speaker, 30

NAYS.

Mr. Ames,	Mr. Hollister,	Mr. Sweeney,
Andrews,	W. Lewis,	Thomas,
Glen,	Moran,	Toll,

Groves,	Peck,	Wakeman,	
Hand,	Scott,	Walker,	15

Mr. Hawley moved a reconsideration of the last vote.

Mr. Ames moved to lay the motion to reconsider on the table, which motion was lost; and the question being on the reconsideration, it was lost.

The question being on the title,

Mr. Patterson moved to lay it on the table, which motion was lost, and the title agreed to.

On motion of Mr. Moran,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Wakeman asked and obtained the unanimous consent of the House to present the remonstrance of L. B. Pratt and one hundred and twelve others, against any alteration in the Clinton road in the township of Manchester; which remonstrance was referred to the committee of the whole.

On motion of Mr. Chubb,

The House resolved itself into committee of the whole on the general order, Mr. Ames in the chair, and after some time spent thereon, the committee rose, and by their chairman reported back without amendment, a "bill to authorize the sale of a part of section sixteen, in the township of Pennfield, Calhoun county;"

Also, reported back with sundry amendments, in which the concurrence of the House was asked, a "bill to amend the charter of the village of Ann Arbor" and a 'bill to repeal a part of an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843,"

On motion of Mr. Rice, the House adjourned.

Wednesday, March 18, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

On calling the roll, Messrs. A. C. Baldwin. Cook, McDonald, Noble, Palmer and Ten Eyck were absent on leave, and Messrs. Graham, Hollister, W. Lewis, and Moran were absent without leave.

Mr. Groves asked and obtained leave of absence for Mr. Hollister for an indefinite time, and for Mr. Moran for the day.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Sanborn, of James Turrill and thirty other legal voters of the town of Lapeer, for the incorporation of the Port Huron and Lake Michigan railroad company; laid on the table.

Also, of Jonathan Randolph, and fourteen others, for the attaching certain territory in St. Clair county to the township of Clay; referred to the committee on the organization of townships and counties.

Also, the remonstrance of forty citizens of the township of Ira, St. Clair county, against granting the prayer of the above petition; same reference.

By Mr. Patterson, the resolutions adopted by a meeting of citizens of the townships of Riga and Blissfield, for the abatement of a nuisance detrimental to the health and agricultural prospects of said townships and the surrounding community; referred to the committee on agriculture and manufactures.

By Mr. Leland, the remonstrance of William Sinclair, and one hundred and twelve other citizens of the lower village of Ann Arbor, against being included in the corporate limits of said village; laid on the table.

By Mr. Morse, the petition of inhabitants of the township of Boston, in Ionia county, for the reassessment of certain taxes in said township; referred to the committee on ways and means.

By Mr. Scott, of thirty-six citizens of Clinton county, for a state road from Rochester colony to Lyons; referred to the committee on roads and bridges.

Also, of Samuel Gardiner and fifty-five other citizens of Clinton county, for a state road from Essex to De Witt; same reference.

By Mr. Noble, of citizens of Monroe, for the relief of the heir of Israel Cady, who was accidently killed on the Southern Railroad; referred to the committee on claims.

REPORTS.

Mr. Noble, from the committee on the judiciary, reported a "bill to establish the village of Dundee," which was read twice; and referred to the committee of the whole.

Also, reported back the "bill to authorize Lydia Ann Storm to convey certain real estate," and recommended that it do not pass.

On motion of Mr. Chubb,

Th e bill and report were referred to the committee of the whole.

Mr. Patterson, from the committee on ways and means, reported back the "bill to authorize the supervisors of the county of Jackson, to reassess certain taxes, returned to the treasurer of said county as delinquent in 1839," with an amendment, and the bill and amendment were referred to the committee of the whole.

Mr. Blair, from the committee on the judiciary, reported a "bill to provide for the payment of the claim of Orville B. Dibble," and

A "bill to provide for the payment of the claim of the Michigan Insurance Company," which bills were read twice and referred to the committee of the whole.

Mr. Hawley, from the committee on banks and incorporations, reported back the "bill to amend the charter of the village of Adrian," and recommended its passage.

The report was accepted, and the bill referred to the committee of of the whole.

Mr. Hawley, from the same committee, reported back the "bill to incorporate the Huron River Canal Company," with an amendment.

The report was accepted, and the bill referred to the committee of the whole, and ordered to be printed.

Mr. Rice, from the select committee, to whom was referred the "bill to vacate a part of the village plat of the village of Unadilla," with instructions, reported the same back, amended in accordance with the instructions, and the bill and amendments were referred to the committee of the whole.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr, Morse gave notice that he should, on some future day, ask

leave to introduce a bill to amend an act to provide for establishing and constructing a road from the village of Lyons, in the county of Ionia, to the village of Ada, in the county of Kent, approved March 1, 1845.

On motion of Mr. Hazelton,

The "bill to incorporate the Grand Rapids Fountain company," was taken from the table.

Mr. T. Lewis gave notice that on some future day he should present a protest against the action of the House in passing the "bill to establish the county of Detroit and for other purposes," and ask to have the same entered on the journal of the House.

On motion of Mr. Rice, the "bill to amend the charter of the Cottonwood Swamp Turnpike Company," was taken from the table.

UNFINISHED BUSINESS.

The "bill to authorize the sale of a part of section sixteen, in the township of Pennfield, in Calhoun county," was ordered to be engrossed and read the third time.

The amendment, being a substitute, to the "bill to repeal a part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern railroad, approved March 9, 1843," was concurred in, and,

On motion of Mr. Walker, the bill was laid on the table.

On motion of Mr. Chubb, the "bill to amend the charter of the village of Ann Arbor," together with the amendments made in committee of the whole, was laid on the table.

The amendments made in committee of the whole to the "bill to amend the charter of the Cottonwood Swamp turnpike Company" were concurred in and the bill ordered to be engrossed for a third reading.

The amendments made by the select committee to the "bill to incoporate the Grand Rapids Fountain Company," were concurred in.

Mr. Barbour moved to amend the bill by striking out all after the enacting clause, which motion prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Dunham,	Mr. Parsons,
A. C. Baldwin,	Edmunds	Peck,
Barbour,	Graham,	Pierce,
Barrett,	Groves,	Sprague,

Blair,	Hand,	Sweeney,	
Chubb,	Leach,	Thomas,	
Cook,	Noble,	Wakeman,	
Davis,	Ord,	Speaker,	24

NAYS.

Mr. Ames,	Mr. Jones,	Mr. O'Malley,	
C. Baldwin,	Kennedy,	Ransom,	
Brotherson,	Leland,	Rice,	
Giddings	T. Lewis,	Sanborn,	
Glen,	W. Lewis,	Scott,	
Hazelton,	Morse,		17

Mr. Peck moved a reconsideration of the last vote.

Mr. Jones moved to lay the motion to reconsider on the table, which motion was lost,

And the question recurring on the motion to reconsider, it was lost.

Mr. Hazleton moved to lay the enacting clause on the table, which motion was lost, and

On motion of Mr. Andrews,

The enacting clause was indefinitely postponed.

The House then resolved itself into committee of the whole on the general order, Mr. Peck in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported back to the House, without amendment,

A 'bill to amend the charter of the village of Adrian ;'

A 'bill to provide for the payment of the claim of Orville B. Dibble ;"

A 'bill to provide for the payment of the claim of the Michigan Insurance Company ;"

A 'bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road ;"

A 'bill to establish the village of Dundee ;"

And a "bill to authorize Lydia Ann Storm to convey certain real estate."

Also, reported back, with amendments, in which the concurrence of the House was asked,

A "bill to authorize the supervisors of the county of Jackson to reassess certain taxes returned to the treasurer of said county as delinquent, in 1839, and rejected by the auditor general;" and

A "bill to vacate a part of the village plat of the village of Unadilla;"

The amendment to the "bill to authorize the supervisors of the county of Jackson to re-assess certain taxes," &c., was concurred in, and the bill ordered to be engrossed and read the third time.

The amendment to the "bill to vacate a part of the village plat of the village of Unadilla," was concurred in.

On motion of Mr. Walker,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and in the absence of the Speaker, was called to order by Mr. Patterson.

On calling the roll, Messrs. Cook, Hand, McDonald, Moran, Palmer and Ten Eyck, were absent on leave, and Messrs. Ames, Groves, O'Malley, Ord, Thomas and Toll, were absent without leave.

On motion of Mr. Jones,

The House adjourned.

Thursday, March 19, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called and Messrs. Blair, Hand, Hollister, Ten Eyck and Walker were absent on leave and Messrs. Ames and Moran were absent without leave.

Mr. Ord asked and obtained leave of absence for Mr. Moran for an indefinite period, on account of sickness.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Andrews, of certain wolf hunters and others, citizens of Van Buren county, asking an alteration of the laws relative to wolf bounties; referred to the committee on agriculture and manufactures.

By Mr. Hazleton, of sundry legal voters of this state, for the passage of a law by which damages for flowing lands by the erection of

milldams shall be settled and adjusted by appraisal; referred to the committee on the judiciary.

By Mr. Peck, of Daniel S. Lee, and other citizens of the county of Livingston for the appropriation of certain non-resident highway taxes on a certain state road; referred to the committee on roads and bridges.

By Mr. Chubb, of S. W. Foster, Hiram Arnold and seventeen other citizens of Washtenaw county, against the administering of extra judicial oaths, and also, against the chartering of secret societies, under the name of either library, religious, literary or benevolent associations; referred to the committee on banks and incorporations.

REPORTS.

Mr. Groves, from the committee on public lands, reported a "bill for the relief of Isaiah J. Hudson," which was read twice, and referred to the committee of the whole.

Mr. Andrews, from the committee on education, made the following report, which was accepted, and the committee discharged from the further consideration of the subject.

The committee on education, to whom was referred the petition of sundry citizens of school district number one, in the township of Flint, Genesee county, asking the passage of an act authorizing the taxable inhabitants of said district to raise a sum not exceeding twelve hundred dollars, for the purpose of building a school house, have had the same under consideration, and report:

That as the subject of the petition had already engaged the attention of the committee, when considering that portion of the proposed revision of the laws which relates to primary schools; and as a general provision is there made for the construction of school houses of any dimensions, when there are more than fifty scholars in a district between the ages of four and eighteen years, the committee are of the opinion that no special legislation is required on the subject, and therefore ask to be discharged from the further consideration of the same.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Hazleton,

The "bill to repeal a part of an act entitled an act authorizing the construction of a wagon road, on the line of the Northern Railroad, approved March 9, 1843," was taken from the table.

On motion of Mr. Andrews,

Resolved, That the secretary of state be requested to ascertain from the last census returns made to his office, and report to this House, as soon as practicable, the number of insane persons in each of the counties of this state.

Mr. Pierce moved a suspension of the rule to enable him to ask leave to introduce a bill, previous notice not having been given, which motion prevailed, and the rule being suspended, he asked and obtained leave to introduce a "bill to repeal an act entitled an act to amend an act granting to certain debtors to the state the privilege of paying the state in state bonds, &c. apporoved February 11, 1842, approved March 11, 1844," which was read twice, and

On motion of Mr. Walker,

Referred to a select committee, consisting of Messrs. Walker, Jones and C. Baldwin.

Mr. Hazelton gave notice that on some future day, he should ask leave to introduce a bill to authorize the inhabitants of district number one, in the township of Flint, to raise money by tax, for the erection of a school house in said district.

Mr. A. C. Baldwin, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road," approved March 9, 1844, which was read twice, referred to the committee of the whole, and ordered to be printed.

UNFINISHED BUSINESS.

The "bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the northern railroad," approved March 9, 1843, was,

On motion of Mr. Hazelton,

Amended by adding the following proviso to section two:

Provided, Nothing herein contained shall be construed to interfere with the performance or payment of any contracts heretofore made in pursuance of this act.

The bill was then ordered to be engrossed for a third reading.

The amendments to the "bill to vacate a part of the village plat of the village of Unadilla," were ordered to be engrossed, and the bill ordered to a third reading.

The "bill to establish the village of Dundee;"

The "bill to authorize Lydia Ann Storms to convey certain real estate," and

The "bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road," were severally ordered to be engrossed for a third reading.

The "bill to provide for the claim of Orville B. Dibble," and

The "bill to provide for the payment of the claim of the Michigan Insurance Company," were,

On motion of Mr. Walker, laid on the table.

The "bill to amend the charter of the village of Adrian," was ordered to be read the third time.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole, on title V, of the proposed revision, Mr. Sanborn in the chair.

And after a short time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

Mr. Walker moved an adjournment, which motion was negatived by the following vote :

YEAS.

Mr. A. C. Baldwin,	Mr. Groves,	Mr. Pierce,	
Blair,	Jones,	Ransom,	
Brotherson,	Leach,	Rice,	
Chubb,	W. Lewis,	Sanborn,	
Davis,	O'Malley,	Walker,	
Edmunds,	Parsons,	Webster,	
Giddings,	Patterson,		20

NAYS.

Mr. Andrews,	Mr. Hawley,	Mr. Scott,	
C. Baldwin,	Hazleton,	Sprague,	
Barbour	Kennedy,	Sweeney,	
Barrett,	T. Lewis,	Toll,	
Cole,	Morse,	Wakeman,	
Cook,	Ord,	Wing,	
Glen,	Peck,	Speaker,	
Hand,			22

Mr. Hazleton moved that the House resolve itself into committee of the whole on the proposed revision, which motion was lost.

On motion of Mr. Hazleton,

The House resolved itself into committee of the whole on the general order, Mr. Walker in the chair.

And after a short time spent thereon, the committee rose, and by their chairman reported back the "bill to incorporate the Port Huron and Lake Michigan Railroad Company" with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Peck,

The bill and amendments were laid upon the table.

Mr. T. Lewis moved a suspension of the rule, to enable him to offer a resolution to adjourn till to-morrow morning, which motion was lost.

Mr. Toll moved an adjournment, which motion was decided in the negative by the following vote:

YEAS.

Mr A. C. Baldwin,	Mr. Leach	Mr. Pierce,	
Brotherson,	McDonald	Sanborn,	
Chubb,	Ord,	Sweeney,	
Davis,	Parsons,	Toll,	
Hand,	Patterson,	Speaker,	
Jones,			16

NAYS.

Mr Andrews,	Mr. Glen,	Mr. Peck,	
C. Baldwin,	Groves,	Ransom,	
Barbour,	Hawley,	Rice,	
Blair,	Hazleton	Scott,	
Cole,	Kennedy,	Sprague,	
Cook,	Leland,	Wakeman,	
Dunham,	T. Lewis,	Walker,	
Edmunds,	W. Lewis,	Webster,	
Giddings,	O'Malley,	Wing,	27

On motion of Mr. Hawley,

The House resolved itself into committee of the whole on title V of the revision, Mr. Sanborn in the chair.

And after a short time, the committee rose, reported progress, and asked and obtained leave to sit again.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly engrossed,

A "bill to amend the charter of the Cottonwood Swamp Turnpike Company;"

A "bill to authorize the sale of a part of section 16, in the township of Pennfield, in Calhoun county," and

A "bill to authorize the supervisors of the county of Jackson to re-assess certain taxes returned to the treasurer of said county as delinquent in 1839, and rejected by the Auditor General."

Mr. Ames, from the same committee, reported title X of the proposed revision as correctly enrolled, and title XX as correctly engrossed.

On motion of Mr. Rice,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Rice,

The rule was suspended, that the House might put the following bills upon their passage:

The "bill to amend the charter of the village of Adrian" was read the third time and passed by a two-thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Ransom,
A. C. Baldwin,	Hawley,	Rice,
C. Baldwin,	Hazleton,	Scott,
Barrett,	Jones,	Sprague,
Blair,	Kennedy,	Sweeney,
Chubb,	Leach,	Toll,
Cole,	T. Lewis,	Wakeman,
Davis,	Morse,	Walker,
Edmunds,	Parsons,	Webster,
Giddings,	Patterson,	Wing,
Glen,	Peck,	Speaker,
Graham,	Pierce,	35

NAYS. 0

The "bill to amend the charter of the Cottonwood Swamp Turnpike Company" was read the third time and passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Hazleton,	Mr. Scott,
A. C. Baldwin,	Jones,	Sprague,
C. Baldwin,	Kennedy,	Sweeney,
Barrett,	Leach,	Thomas,
Blair,	Morse,	Toll,
Chubb,	O'Malley,	Wakeman,
Cole,	Patterson,	Walker,
Davis,	Peck,	Webster,
Edmunds,	Ransom,	Wing,
Glen,	Rice,	Speaker,
Hawley,		31

NAYS.

Mr. Cook,	Mr. T. Lewis,	Mr. Parsons,
Giddings,	W. Lewis,	Pierce,
Graham,		8

The "bill to authorize the sale of a part of section 16, in the township of Pennfield, in Calhoun county," and

The "bill to authorize the supervisors of the county of Jackson to re-assess certain taxes returned to the treasurer of said county as delinquent in 1839, and rejected by the Auditor General," were severally read the third time and passed.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed,

A "bill to establish the village of Dundee," and

A "bill to authorize Lydia Ann Storms to convey certain real estate:" and the bills were then read the third time and passed.

On motion of Mr. Kennedy,

The House resolved itself into committee of the whole on title V of the proposed revision, Mr. Scott in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

Mr. Brotherson, from the committee on engrossment and enrollment, reported the House amendments to the Senate "bill to vacate a part of the village plat of the village of Unadilla," as correctly engrossed.

The Speaker announced the following communications:

SENATE CHAMBER,
March 19, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to provide for the payment of John Ball," and to respectfully inform you that the Senate have non-concurred in the House amendment thereto.

Also, to return the "bill to change the name of James M. Hogg," and to respectfully inform you that the Senate have passed the same.

Also, to transmit a "bill further to provide for the payment of the officers and members of the legislature, and for other purposes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also, to respectfully inform you that the Senate have concurred in the House amendments to the "bill for the relief of John Nardin," and have ordered the same as amended to be enrolled.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

SENATE CHAMBER, *March* 19, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to organize certain townships, and for other purposes," which the Senate have passed with amendments, in which the concurrence of the House is asked.

Also, to return the "bill to provide for the re-assessment of certain non-resident highway taxes for 1845, on lands in the township of Ogden, Lenawee county," which the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Also, to transmit a "bill to amend an act entitled an act to incorporate the Michigan Central College, at Spring Arbor," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

JAMES E. PLATT,

Secetary of Senate.

The "bill to change the name of James M. Hogg" was ordered to be enrolled.

The Senate amendments to the "bill to organize certain townships, and for other purposes," being under consideration,

The first and second amendments were severally non-concurred in, and the remainder of the amendments were severally concurred in.

The Senate amendment to the "bill to provide for the re-assessment of certain non-resident highway taxes for 1845 on lands in the township of Ogden, Lenawee county," was concurred in, and the bill ordered to be enrolled.

The "bill to amend an act entitled an act to incorporate the Michigan Central College at Spring Arbor," was read twice and referred to the committee on banks and incorporations.

The "bill further to provide for the payment of the officers and

members of the legislature, and for other purposes," was read twice and referred to the committee on ways and means.

On motion of Mr. Edmunds,

The House insisted on their amendment to provide for the payment of John Ball," and

On motion of Mr. Patterson,

It was ordered that a committee of conference, on the disagreement between the two houses on the above bill, be appointed, and the like appointment on the part of the Senate be asked.

The Speaker appointed as such committee Messrs. Patterson, Chubb and Peck.

On motion of Mr. Rice, the House adjourned

Friday, March 20, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and Messrs. A. C. Baldwin, Blair, Hand, Hollister, Moran, Noble, Palmer, Ten Eyck and Walker were absent on leave, and Messrs. Dunham, Hawley, Hazleton and Ord, were absent without leave.

Mr. Davis asked and obtained leave of absence for Mr. A. C. Baldwin for an indefinite period, on account of sickness, and for Mr. Hawley, until Tuesday next.

Mr. Peck for Mr. Wing, until Tuesday next.

PETITICNS PRESENTED.

By Mr. Morse, of inhabitants of the township of Boston, in the county of Ionia, for the extension of a certain state road; referred to the committee on roads and bridges.

By Mr. Giddings, of John L. Cook and fourteen others, for the alteration of a state road in Barry county; same reference.

By Mr. Sanborn, of J. R. Rood, and fifteen others, for the incorporation of the Port Huron and Lake Michigan Railroad Company: laid on the table.

REPORTS.

Mr. W. Lewis, from the committee on roads and bridges, reported

a "bill to provide for the improvement of a certain state road," which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed,

A "bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843;" and

A "bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road.

THIRD READING OF BILLS.

The "bill to vacate a part of the village of plat of the village of Unadilla," was read the third time and passed,

And the question being on the title, the same was,

On motion of Mr. Peck,

Amended by adding thereto the words "and for other purposes."

The "bill to repeal a part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843, was read the third time, and

On motion of Mr. Hazleton, laid on the table.

The "bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and re-locate a portion of the Clinton road," was read the third time, and

On motion of Mr. Pierce, laid on the table.

The House then went into committee of the whole on title V of the proposed revision, Mr. Scott in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Hand,

The House unanimously consented to the presentation, at this time, of the following message from the Senate :

SENATE CHAMBER,
Detroit, March 20, 1846.

To the Speaker of the House of Representatives :

SIR :—I am instructed by the Senate to return the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company," which the Senate have passed with

amendments in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The question was first taken on concurring in the thirty-sixth amendment to the "bill authorizing the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company," which amendment is as follows:

Strike out from the word "then," in line four, in section thirty-eight, to and including the word "matter" in line eight, and insert the following: "It shall be lawful for the Governor of this state to appoint two commissioners, and said company one, who, or a majority of them, shall agree upon and fix the prices, terms and conditions, for transporting such mail, after fifteen days' notice to said company."

This amendment was non-concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Glen,	Mr. T. Lewis,	
Cook,	Graham,	Ord,	6

NAYS.

Mr. Ames,	Mr. Hand,	Mr. Pierce,	
C. Baldwin,	Hazleton,	Ransom,	
Barbour,	Jones,	Rice,	
Barrett,	Kennedy,	Sanborn,	
Blair,	Leland,	Scott,	
Brotherson,	Leach,	Sprague	
Chubb,	W. Lewis,	Sweeney,	
Cole,	McDonald,	Thomas,	
Davis,	Morse,	Toll,	
Dunham,	O'Malley,	Wakeman,	
Edmunds,	Parsons,	Walker,	
Giddings,	Patterson,	Webster,	
Groves,	Peck,	Speaker,	39

The remainder of the Senate amendments were concurred in, in gross, by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,
Andrews,	Groves,	Peck,
C. Baldwin,	Hand,	Pierce,
Barbour,	Hazleton,	Ransom,
Barrett,	Jones,	Rice,

Blair,	Kennedy,	Sanborn,	
Brotherson,	Leland,	Scott,	
Chubb,	Leach,	Sprague,	
Cole,	T. Lewis,	Sweeney,	
Cook,	W. Lewis,	Thomas,	
Davis,	McDonald,	Toll,	
Dunham,	Morse,	Wakeman,	
Edmunds,	O'Malley,	Walker,	
Giddings,	Parsons,	Webster,	
Glen,			43

NAYS.

Mr. Ord,	Mr. Speaker,	2

The bill as amended, was then concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Peck,	
C. Baldwin,	Hand,	Pierce,	
Barbour,	Hazleton,	Ransom,	
Barrett,	Jones,	Rice,	
Blair,	Kennedy,	Sanborn,	
Brotherson,	Leland,	Scott,	
Chubb,	Leach,	Sprague,	
Cole,	W. Lewis,	Sweeney,	
Davis,	McDonald,	Thomas,	
Dunham,	Morse,	Toll,	
Edmunds,	O'Malley,	Wakeman,	
Giddings,	Parsons,	Walker,	
Glen,	Patterson,	Webster,	39

NAYS.

Mr. Andrews,	Mr. T. Lewis,	Mr. Ord,	
Cook,	Noble,	Speaker,	
Graham,			7

By the unanimous consent of the House, Mr. Patterson, from the committee on ways and means, reported back the Senate "bill further to provide for the payment of officers and members of the legislature, and for other purposes," without amendment, and the bill was ordered to a third reading, read the third time and passed.

Mr. Ord from the committee on engrossment and enrollment reported as correctly enrolled, the "bill to provide for the reassessment of certain highway taxes of 1845, on lands in the township of Ogden, Lenawee county," and a "bill to change the name of James M. Hogg," and that the same were this day presented to the Governo, for his approval.

On motion of Mr. Groves, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

Mr. Hazleton asked and obtained the unanimous consent of the House to take from the table the "bill to repeal a part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1846," and the bill was passed.

The House then resolved itself into committee of the whole on title V of the proposed revision, Mr. Scott in the chair, and after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

The following message was received from the Senate:

SENATE CHAMBER,
March 20, 1846.

To the Sepaker of the House of Representatives:

SIR:—I am instructed by the Senate, to respectfully inform you that the Senate insist upon their amendments to the "bill to organize certain townships and for other purposes," and that Senators Fenton, Green and Williams have been appointed a committee of conference on the part of the Senate, on the disagreement between the two Houses, on said bill;

Also, to respectfully inform you that Senators Maynard, Littlejohn and Williams, have been appointed a committee of conference on the part of the Senate on the disagreement between the two Houses, upon the "bill to provide for the payment of John Ball;"

Also, to return the "bill to authorize Lucius Patterson to erect a dam across Flat river, in the county of Ionia," and the "bill to autaorize Josiah Russell, Thomas H. Myers and Ira Porter, to erect a dam across Flat river in the county of Montcalm," which the Senate have passed with amendments, in which they respectfully ask the concurreace of the House.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of Senate.

On motion of Mr. Groves,

The House receded from their disagreement to the Senate amendment to the "bill to organize certain townships and for other purpo-

es," concurred in said amendments, and ordered the bill as amended to be enrolled.

The Senate amendments to the "bill to authorize Lucius Patterson to erect a dam across Flat river, in the county of Ionia," and to the "bill to authorize Josiah Russell Thomas H. Myers and Ira Porter, to erect a dam across Flat river, in the county of Montcalm," were severally concurred in, and the bills as amended, were ordered to be enrolled.

The following messages were received from the Senate:

SENATE CHAMBER,
Detroit, March 20, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to authorize the sale of the Central Railroad and to incorporate the Michigan Central Railroad Company," and to respectfully inform you that the Senate insist upon their 36th amendment thereto.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

On motion of Mr. Walker,

The House receded from their disagreement to the thirty-sixth Senate amendment to the "bill to authorize the sale of the Central Railroad, and to incorporate the Michigan Railroad Company," and concurred in the said amendment.

The bill as amended, was then concurred in by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Hazleton	Mr. Pierce,	
Barbour,	Jones,	Ransom,	
Barrett,	Kennedy,	Rice,	
Brotherson,	Leland,	Sanborn,	
Chubb,	Leach	Scott,	
Cole,	W. Lewis,	Sprague,	
Dunham,	McDonald	Sweeney,	
Edmunds,	Morse	Thomas,	
Giddings,	O'Malley,	Toll,	
Glen,	Parsons,	Wakeman,	
Groves,	Patterson,	Walker,	
Hand,	Peck,	Webster,	36

NAYS.

Mr. Andrews,	Mr. Graham,	Speaker,	
Cook,	T. Lewis,	Noble,	6

The bill was then ordered to be enrolled.

On motion of Mr. Cole,

The House resolved itself into committee of the whole, on title V, of the proposed revision, Mr. Scott in the chair.

And after some time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

On motion of Mr. Patterson,

Resolved, That when this House adjourn, it will adjourn to meet at nine o'clock on Monday morning.

On motion of Mr. Andrews, the House adjourned.

Monday, March 23, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Blair, Hand, Hawley, Hollister, Palmer, Ten Eyck, and Wing were absent on leave, and Messrs. Ames, C. Baldwin, Davis, Edmunds, Hazleton, Leland, Leach, W. Lewis, Morse, Parsons, Pierce, and Thomas were absent without leave.

Mr. Jones asked and obtained leave of absence for Mr. Hazleton for an indefinite time.

Mr. Cole for Mr. Thomas for an indefinite time.

Mr. Barbour for Mr. W. Lewis for an indefinite time.

Mr. Sanborn for Mr. Davis till to-morrow.

Mr. Chubb for Messrs. Pierce, Edmunds, Parsons, and Leland for the day.

Mr. Giddings for Mr. Leach for the day.

Mr. Kennedy for Mr. Morse for the day.

The journal of Friday was read and approved.

Mr. Patterson presented resolutions of citizens of the township of Blissfield, in relation to a law for draining marshes; referred to the committee on agriculture and manufactures.

Mr. Hand presented the petition of O. M. Hyde and one hundred and fifty other citizens of Wayne county, for an alteration of the

constitution, so as to extend the elective franchise; referred to the committee on the judiciary.

REPORTS.

Mr. Dunham, from the committee on claims, made the following report, which was accepted:

The committee on claims have had under consideration certain claims for newspapers furnished the House of Representatives the present session; also the claim of M. A. Chase for services as messenger; the claim of J. G. McBain for repairs of tables, and of E. D. Ellis for printing for treasurer, and the claim of D. Corbin for wood furnished at the capitol.

The committee believe the above claims just and equitable, and report the same back to the House and recommend that they be referred to the committee on ways and means, to be incorporated in the general appropriation bill.

These claims were referred to committee on ways and means.

Mr. Peck, from the committee on banks and incorporations, reported back the Senate "bill to amend an act entitled an act to incorporate the Michigan Central College at Spring Arbor," without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Mr. Patterson, from the committee on ways and means, made the following report, accompanied by a "bill to allow indigent blind persons to pass free over the state railroads:"

The committee of ways and means have had under consideration the petition of 200 citizens of Wayne, Washtenaw, Jackson and Lenawee counties, asking for a law to permit blind persons to pass free over the state rail roads, and respectfully report thereon: That if it is proper to discriminate in the manner proposed in favor of any class of unfortunate individuals, there can be no hesitation in granting the prayer of the petitioners. Blindness alone, is a terrible affliction, but blindness and poverty united, as is frequently the case, appeals irresistibly to our sympathies, and if the slight boon asked of the state by the petitioners, will in any degree administer to the comfort or convenience of those for whom it is craved, and aid them through their

darkened pilgrimage of life, your committee think it should be granted.

Respect for the blind is a feeling so universal, that appeals for public charity in their behalf have never been made in vain. Although our railroads may soon be sold, still as the period when they will pass from the possession of the state is uncertain, your committee present a bill that the petitioners may *see* and the blind *feel* the benevolent intentions of the representatives of the people.

The bill was read twice and referred to the committee of the whole.

Mr. Groves, from the committee on public lands, reported a "joint resolution for the relief of George Buck," which was read twice and referred to the committee of the whole.

Also, reported a "bill for the relief of Peter Godfroy;" which was read twice and referred to the committee of the whole,

Mr. Noble, from the committee on the judiciary, reported back title XXI of the proposed revision, with sundry amendments, and the title and amendments were referred to the committee of the whole, and the amendments were ordered to be printed.

The following communication was received from the Executive:

EXECUTIVE OFFICE,
Detroit, March 20, 1846.

To the House of Representatives;

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to provide for the re-assessment of certain highway taxes of eighteen hundred and forty-five, on lands in the township of Ogden, Lenawee county."

Also, "an act to change the name of James M. Hogg."

ALPHEUS FELCH.

A communication was received from the acting commissioner of internal improvement, bearing date March 20, 1846, in reply to a resolution adopted by the House on the 12th instant, which communication was read, laid on the table and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,
March 23, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate, to return the "bill to author-

ize the sale of a part of section 16, in the township of Pennfield, Calhoun county;" and

The "bill to establish the village of Dundee," and to respectfully nform you that the Senate have passed the same.

Also, to transmit a "bill to confirm the alteration made in the state road leading from Marshall to Hastings;"

A "joint resolution prohibiting expenditures upon the Central Railroad;" and

A "bill to authorize the first township meeting in the township of Penonagawink to be held at the house of George Wilcox," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also, to respectfully inform you that the Senate have concurred in the House amendments to the "bill to vacate a portion of the plat of the village of Unadilla," and have ordered the bill as amended to be enrolled.

Respectfully, &c.,

J. E. PLATT,

Sec'y of Senate.

The "bill to authorize the sale of a part of section sixteen, in the township of Pennfield, Calhoun county;" and

The "bill to establish the village of Dundee," were ordered to be enrolled.

The Senate "bill to authorize the first township meeting in the township of Penonagawink to be held at the house of George Wilcox," was read twice, ordered to a third reading, the rule suspended, and the bill read a third time and passed.

The Senate "bill to confirm the alteration made in the state road leading from Marshall to Hastings," was read twice and referred to the committee on roads and bridges.

The Senate "joint resolution prohibiting expenditures upon the Central Railroad," was read twice and referred to the committee on internal improvement.

Mr. Toll, pursuant to previous notice, asked and obtained leave to introduce a "bill to authorize Amos Brownson and Elisha Doan to erect a dam across the St. Joseph river, in the county of St. Joseph," which bill was read twice and referred to the committee of the whole.

Mr. Barbour, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Battle Creek and Grand Rapids Railroad company;" and

A "bill to incorporate the Marshall and Union City plank road company," which bills were read twice and referred to the committee on banks and incorporations.

On motion of Mr. Peck,

The "bill to incorporate the Port Huron and Lake Michigan Railroad company," was taken from the table and referred to the committee on banks and incorporations, with instructions to incorporate the amendments made to the bill by the committee of the whole, and also, to so amend the bill as to make it conform in its features to the bill incorporating the Michigan Central Railroad company.

Mr. Hand gave notice that on some future day he should ask leave to introduce a bill for amending an act relative to the registry of certain deeds, approved March 9, 1844.

The House resolved itself into committee of the whole on title V of the revision, Mr. Scott in the chair;

And after a short time spent thereon, the committee rose, and by their chairman reported the title back, with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Walker, the title and amendments were laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Kennedy in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported back to the House, without amendment,

A "bill to authorize Amos Brownson and Elisha Doan to erect a dam across the St. Joseph River in the county of St. Joseph;"

A "bill to amend an act entitled an act to incorporate the Michigan Central College at Spring Arbor;"

A "bill for the relief of Peter Godfroy;" and,

A "joint resolution for the relief of George Buck."

Also reported back, a "bill to allow indigent blind persons to pass free over the state rail-roads," to which they had made an amendment in which the concurrence of the House was asked.

On motion of Mr. Cook, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, was called to order by the Speaker,

And took up the bills reported back by the committee of the whole this morning.

The "bill for the relief of Peter Godfroy;"

The "joint resolution for the relief of George Buck;" and

The "bill to authorize Amos Brownson and Elisha Doan to erect a dam across the St. Joseph river, in the county of St. Joseph," were severally ordered to be engrossed and read the third time.

The "bill to amend an act entitled an act to incorporate the Michigan Central College at Spring Arbor, was ordered to a third reading.

On motion of Mr. Patterson, the "bill to allow indigent blind persons to pass free over the state Railroads," was laid on the table.

Mr. Brotherson asked and obtained the unanimous consent of the House to offer the following resolution, which was adopted:

Resolved, That the use of the Hall of the House of Representatives be granted to Mrs. Rose to-morrow evening, for the purpose of delivering a lecture on the science of Government.

On motion of Mr. Jones, the House adjourned.

Tuesday, March 24, 1846.

The House met pursuant to adjournment, and was called to order the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Davis, Hand, Hazleton, Hollister, W. Lewis, Noble, Palmer, Ten Eyck and Thomas, were absent on leave, and Messrs. Ames, Leland, T. Lewis, Patterson, Pierce and Rice, were absent without leave.

The journal of yesterday was read and approved.

PETITICNS PRESENTED.

By Mr. Peck, of W. A. Clark and others, of Livingston county, for the appropriation of certain non-resident highway taxes on a certain state road; referred to the committee of the whole.

By Mr. Wakeman, of Ruel C. Baker and ninety-seven other citizens of Jackson county, for an alteration of the militia law; referred to the committee on militia.

REPORTS.

Mr. Peck, from the committee on banks and incorporations, reported back without amendment, the "bill to incorporate the Marshall and Union City plank road company," and

The "bill to incorporate the Battle Creek and Grand Rapids Railroad Company," and the bills were referred to the committee of the whole, and ordered to be printed.

Also, reported back the "bill to incorporate the Port Huron and Lake Michigan Railroad Company," amended in accordance with the instructions, and the bill was referred to the committee of the whole, and ordered to be printed.

Mr. Barbour, from the committee on internal improvement, reported back the Senate "joint resolution prohibiting expenditures upon the Central Railroad," recommended its passage, and it was referred to the committee of the whole.

Mr. Scott, from the committee on roads and bridges, reported back without amendment, the Senate 'bill to confirm the alteration made in the state road leading from Marshall to Hastings,' recommended its passage, and it was referred to the committee of the whole.

A communication was received from the secretary of state, bearing date March 23, 1846, in reply to a resolution adopted by the House on the 19th inst., which was

On motion of Mr. Andrews, laid on the table and ordered to be printed.

Mr. Peck gave notice, that on some future day, he should ask leave to introduce a bill to legalize the collection of certain taxes for the year 1845, made by deputy sheriffs in different counties in this state.

Mr. Hand, pursuant to previous notice, asked and obtained leave to introduce a 'bill for amending an act relative to the registry of certain deeds, approved March 9, 1844,' which was read twice and referred to the committe on the judiciary.

On motion of Mr. Peck, the 'bill to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844,' was taken from the table and referred to a select committee consisting of Messrs. Peck, Scott and Jones, with instructions.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed,

The 'bill for the relief of Peter Godfroy;'

The 'bill to authorize Amos Brownson and Elisha Dean to erect a dam across the St. Joseph river, in the county of St. Joseph,' and

The "joint resolution for the relief of George Buck."

Which bills and joint resolution were severally read the third time and passed.

The "bill to amend an act entitled an act to incorporate the Michigan Central College at Spring Arbor," was read the third time, and passed by the following vote;

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Ransom,
C. Baldwin,	Hand,	Rice,
Barbour,	Jones,	Sanborn,
Barrett,	Kennedy,	Scott,
Blair,	Leach,	Sprague
Brotherson,	McDonald,	Sweeney,
Chubb,	Moran,	Toll,
Cole,	Morse,	Wakeman,
Cook,	O'Malley,	Walker,
Dunham,	Ord,	Webster,
Edmunds,	Parsons,	Wing,
Giddings,	Patterson,	Speaker,
Glen,	Peck,	38

NAYS.

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The House resolved itself into committee of the whole on the general order, Mr. Leach in the chair,

And after some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A "bill to confirm the alteration made in the state road leading from Marshall to Hastings," and

A "joint resolution prohibiting expenditures on the Central Railroad."

Also reported back with sundry amendments, in which the concurrence of the House was asked, a "bill to provide for the improvement of a certain state road."

The amendments to the last named bill were concurred in, and the bill ordered to be engrossed for a third reading.

The "bill to confirm the alteration made in the state road leading from Marshall to Hastings," and

The "joint resolution prohibiting expenditures on the Central Railroad," were severally ordered to a third reading.

Mr. Ames asked and obtained the unanimous consent of the House, previous notice not having been given, to introduce a "bill to provide for paying the assistant librarian, and the private secretary of the Governor," which was read twice, and referred to the committee on ways and means.

The House then resolved itself into committee of the whole on title XXI of the proposed revision, Mr. Rice in the chair, and after some time spent thereon, the committee rose, reported progress, and asked and obtained leave to sit again.

On motion of Mr. O'Malley, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Ames, from the committee on engrossment and enrollment, reported the "bill to organize certain townships and for other purposes," as correctly enrolled, and that the same was this day presented to the Governor for his approval.

By unanimous consent, the "bill to confirm the alteration made in the state road leading from Marshall to Hastings," and the "joint resolution prohibiting expenditures on the Central Railroad," were severally read the third time and passed.

Mr. Peck asked and obtained the unanimous consent of the House to introduce a "bill to legalize the collection and return of taxes for the year 1845, made by deputy sheriffs in different counties of this state," which was read twice and referred to the committee of the whole.

Mr. Peck, from the select committee, by unanimous consent of the House, reported back the "bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company," approved March 12, 1844, amended in accordance with the instructions, and the bill was referred to the committee of the whole, and ordered to be printed.

On motion of Mr. Walker,

Title V of the proposed revision, with the amendments made in committee of the whole, was taken from the table, and the amendments to chapter twenty, were concurred in by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Jones,	Mr. Sanborn,
Barrett,	Kennedy,	Scott,
Blair,	Leach,	Sprague,
Brotherson,	McDonald,	Walker,
Chubb,	Morse,	Webster,
Cole,	Peck,	Wing,
Edmunds,	Rice,	Speaker,
Giddings,		22

NAYS.

Mr. Cook,	Mr. Groves,	Mr. Moran,
Dunham,	Hand,	Patterson,
Glen,	T. Lewis,	Sweeney,
Graham,		10

On motion of Mr. Peck, the words 'or any deputy sheriff,' were inserted after the word 'sheriff,' in the fourth line of section 53.

Mr. Chubb moved to strike out all of section 54, after the word thereof,' in the second line, which motion was lost,

Mr. Jones moved a reconsideration of the vote by which the House refused to strike out, which motion was lost.

On motion of Mr. Sanborn, the word 'wilfully' was inserted after the word 'shall,' in the third line of section 54.

Mr. Leach moved to amend sections 23, 24 and 26, by inserting in said sections after the words 'real estate,' the words 'and personal property,' pending which,

On motion of Mr. Peck, the House adjourned.

Wednesday, March 25, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Blair, Hand, Hazelton, Hollister, W. Lewis, Palmer, Ten Eyck and Thomas, were absent on leave, and Messrs. Ames, Leland, T. Lewis, Moran, Pierce and Scott were absent without leave.

Mr. Chubb asked and obtained leave of absence for Messrs. Leland and Pierce for the day.

The journal of yesterday was read and approved.

Mr. Leach presented the petition of citizens of Macomb county, for the incorporation of a company to build a plank road from Utica to Detroit; referred to the committee on banks and incorporations.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly enrolled, the "bill to authorize the sale of the Central Rail-road, and to incorporate the Michigan Central Railroad Company," and that the same was this day presented to the Governor for his signature.

Mr. Hawley from the committee on banks and incorporations made the following report, which was accepted:

The committee on banks and incorporations, to whom was referred the "bill to incorporate the Adrian Joint-stock Church Company," with instructions to inquire into the propriety of amending the bill so that the property of the company shall be taxed in the ordinary manner, have had the same under consideration, and report, that the object of the bill is of a religious character, and that no reasons have been discovered by the committee why a distinction should be made between this and ordinary cases. To tax this company would create an invidious distinction contrary to the enlightened spirit of the age, in violation of the freedom of conscience and the true spirit of the constitution; wherefore they deem it inexpedient to incorporate said provision in the bill.

On motion of Mr. Rice, the "bill to incorporate the Adrian Joint stock Church Company," was laid on the table.

Mr. Edmunds gave notice that on some future day he should ask leave to introduce a "bill to amend the charter of the Gibraltar and Flat Rock company.

Mr Morse, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to provide for establishing and constructing a road from the village of Lyons, in the county of Ionia, to the village of Ada, in the county of Kent," which was read twice and referred to the committee of the whole.

UNFINISHED BUSINESS.

Title V of the proposed revision was taken up, and the question being on the amendment offered yesterday by Mr. Leach, to insert after the words 'real estate,' in sections twenty-three, twenty-four and

twenty-six of chapter twenty, the words "and personal property," which amendment was lost.

On motion of Mr. C. Baldwin,

The following was added to section eighteen, to stand as the eighth sub-division:

8th. When any farm lies in two or more townships, the farm shall be taxed in the township where the mansion house shall be situated, and in no other: Provided, all real estate shall be taxed in the county where the same shall be, and in no other.

Mr. Hand moved to amend section five by adding to the second line the words, "but not to exceed in value the sum of seventy-five dollars."

Mr. Kennedy moved to amend the amendment by striking out "seventy-five" and inserting one hundred add fifty," which motion was lost by yeas and nays as follows:

YEAS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Sweeney,	
Blair,	Kennedy,	Wakeman,	
Brotherson,	T. Lewis,	Speaker,	
Cole,	Moran,		11.

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Peck,	
Barbour,	Jones,	Ransom,	
Barrett,	Leach,	Sanborn,	
Chubb,	McDonald,	Scott,	
Cook,	Morse,	Sprague,	
Davis,	Noble,	Toll,	
Edmunds,	Ord,	Walker,	
Giddings,	Parsons,	Webster,	
Graham,	Patterson,	Wing,	27

The question then recurring on the amendment offered by Mr. Hand, it was adopted by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings	Mr. Peck,	
Barbour,	Hand,	Sanborn,	
Barrett,	Jones,	Scott,	
Brotherson,	Leach,	Sprague,	
Chubb,	T. Lewis,	Toll,	
Cook,	McDonald,	Walker,	
Davis,	Morse,	Wing,	
Edmunds,	Parsons,		23

NAYS.

Mr. C. Baldwin,	Mr. Kennedy,	Mr. Ransom,	
Blair,	Moran,	Sweeney,	
Cole,	Noble,	Wakeman,	
Graham,	Ord,	Webster,	
Hawley,	Patterson,	Speaker,	15

On motion of Mr. Peck,

Section thirty-one was amended by inserting after the word "expenses" in the the third line, the words "in which case he shall add such less rate only."

On motion of Mr. Peck, section 52 was amended by inserting after the words 'township board,' the words 'in which case he shall receive such less rate only.'

Mr. C. Baldwin moved to amend section 5 by adding the following, to stand as the seventh sub-division,

'7th. All mules, horses, swine, neat cattle and sheep less than one year old.'

Mr. Hand moved to add to the amendment the words 'not exceeding ten dollars in value,' which motion was lost, and

The question recurring on the amendment offered by Mr. C. Baldwin, it was rejected by the following vote,

YEAS.

Mr. C. Baldwin,	Mr. Moran,	Mr. Sweeney,	
Barbour,	Patterson,	Wakeman,	
Kennedy,	Sprague,	Speaker,	
T. Lewis,			10

NAYS.

Mr. Andrews,	Mr. Edmunds,	Mr. Noble,	
Barrett,	Giddings,	Ord,	
Blair,	Glen,	Parsons,	
Brotherson,	Graham,	Peck,	
Chubb,	Hand,	Sanborn,	
Cole,	Jones,	Scott,	
Cook,	Leach	Toll,	
Davis,	McDonald	Walker,	
Dunham,	Morse	Webster,	
		Wing,	28

Mr. Kennedy moved to amend section five by inserting an additional sub-division as follows,

'1st. Ten sheep, one cow and five swine.'

Mr. Hawley moved to amend the amendment by striking it out and inserting the following, which motion prevailed,

'Ten sheep and the wool of the same, one cow and five swine: one bed, bedding and bedstead, to every two persons in the family,

'Provisions necessary for the family for six months, and all necessary wearing apparel of the person to be taxed, and of his wife and children;

'One table, six chairs, six knives and forks, six cups and saucers, all spinning wheels and weaving looms not exceeding fifty dollars in value, necessary cooking utensils not to exceed in value twenty dollars;

Necessary stoves put up for use in the dwelling house not exceeding in value thirty dollars;

The bibles and school books used in the family,

All tools necessary to enable the owner to carry on his trade or business, not exceeding fifty dollars in value."

The amendment as amended, was then adopted by the following vote:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Ransom,
C. Baldwin,	Kennedy,	Sanborn,
Barbour	Leach,	Sprague,
Blair,	T. Lewis,	Sweeney,
Cole,	McDonald,	Toll,
Cook,	Moran,	Wakeman,
Edmunds,	Ord,	Walker,
Glen,	Parsons,	Webster,
Graham,	Patterson,	Speaker,
Groves,	Peck,	29

NAYS.

Mr. Andrews,	Mr. Davis,	Mr. Hand,
Barrett,	Dunham	Scott,
Chubb,		7

On motion of Mr. Webster,

Section five was amended by striking out therefrom the words "all personal property exempt by law from levy or sale on execution, not to exceed in value the sum of seventy-five dollars."

On motion of Mr. Patterson,

The following proviso was added to section five:

"Provided, that no dog or slut shall be exempt from taxation."

The first amendment to chapter twenty-one, striking out of the second line the words 'two and a half' and inserting 'one' was concurred in.

The question being on the second amendment, inserting after the word 'business' the following :

"The payment of which shall exempt such person or persons from the payment of all state, county, township or other taxes on the capital employed in such business, for one year from the date of the license to be issued by the treasurer."

On motion of Mr. Edmunds,

The words 'or other' before 'taxes' were stricken out.

On motion of Mr. Hawley,

The words 'county or township' were stricken out, and the amendment as amended was concurred in.

The remainder of the amendments to the chapter were then concurred in.

On motion of Mr. Peck,

All of the chapter after section nine was stricken out, and the title was then ordered to be engrossed for a third reading.

On motion of Mr. Rice, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Peck,

The House resolved itself into committee of the whole, on the general order, Mr. Toll in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House without amendment,

A "bill to legalize the collection of taxes for the year 1845, made by deputy sheriffs in different counties of the state;" and,

A "bill to amend an act entitled an act to provide for establishing and constructing a road from the village of Lyons, in the county of Ionia, to the village of Ada, in the county of Kent."

Which bills were severally ordered to be engrossed, and read the third time.

The House resolved itself into committee of the whole on title XXI of the proposed revision, Mr. Cook in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Hand, the House adjourned.

Thursday, February 26, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. J. S. Harrison.

The roll was called, and Messrs. Hand, Hazleton, Hollister, W. Lewis, Noble, Palmer, Ten Eyck, Thomas and Walker, were absent on leave, and Messrs. T. Lewis and Toll were absent without leave.

Mr. Leland asked and obtained leave of absence for Mr. Pierce for an indefinite time.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Cook, of H. S. Mead and ninety-six other citizens of the village of Hillsdale for the passage of an act incorporating said village; referred to the committee on banks and incorporations.

By Mr. Jones, of Peter Dow and fifty other inhabitants of Ingham county, for an appropriation of certain non-resident highway taxes on a road leading from Jackson to Clinton county; referred to the committee on roads and bridges.

By Mr. Sanborn, of legal voters of the township of Bristol, for a change of the name of said township; referred to the committee on the organization of townships and counties.

By Mr. Davis, of one hundred citizens of Oakland county, for the incorporation of the Huron river canal company; referred to the committee of the whole.

REPORTS.

Mr. Leland, from the committee on roads and bridges, reported back the petitions and remonstrances of citizens of Macomb county, relative to the repeal of a law providing for laying out a certain state road, and recommended that no legislative action be had thereon;

Which report was accepted, and the committee discharged from the further consideration of the subject.

Mr. Leland, from the same committee, reported back the petition of citizens of Hillsdale county, relative to a certain state road, and reported adverse to the prayer of the petition; which report was accepted, and the committee discharged from the consideration of the subject.

Mr. Hand from the committee on the judiciary, to whom was re-

referred the Senate 'joint resolution relative to money stolen from the treasurer of Shiawassee county," made a report, which was read and,

On motion of Mr. Scott, the report and joint resolution were laid on the table, and ordered to be printed.

Mr. Barbour from, the committee of conference on the part of the House, on certain titles of the revision, made a report, which,

On motion of Mr. Rice, was laid on the table.

The Speaker announced the following communication from the Executive:

EXECUTIVE OFFICE,
Detroit, March 25, 1846.

To the House of Representatives:

I have this day approved, signed and desposited in the office ot the Secretary of State, "An act to organize certain townships and for other purposes."

ALPHEUS FELCH.

Mr. Edmunds, pursuant to previous notice, asked and obtained leave to introduce a "bill to amend an act entitled an act to incorporate the Gibralter and Flat Rock Company, which was read twice, and referred to the committee of the whole.

On motion of Mr. Rice,

The "bill to incorporate the Adrian Joint Stock Church Company" was taken from the table.

On motion of Mr. Toll,

Resolved, That the use of the Representative Hall be tendered to Mrs. Ernestine Rose, this evening, for the purpose of giving a lecture "on the antagonistical principles of society."

Mr. Ames from the committee on engrossment and enrollment, reported the following bills as correctly enrolled:

A 'bill to amend an act entitled an act to provide for establishing and constructing a road from the village of Lyons in the county of Ionia, to the village of Ada, in the county of Kent;"

A "bill to legalize the collection and return of taxes for the year 1845, made by deputy sheriffs in different counties of this state;' and,

A "bill to provide for the improvement of a certain state road;"

Which bills were severally read the third time and passed.

The "bill to incorporate the Adrian Joint stock church company," was read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Jones,	Mr Ransom	
Barbour,	Kennedy,	Rice,	
Barrett,	Leach,	Sanborn,	
Blair,	Moran,	Sprague,	
Brotherson,	Morse,	Sweeney,	
Cook,	O'Malley,	Toll,	
Giddings,	Patterson,	Wakeman,	
Hawley,	Peck,	Walker,	24

NAYS.

Mr. Andrews,	Mr. Glen,	Mr T. Lewis,	
C. Baldwin,	Graham,	Parsons,	
Cole,	Hand,	Webster,	
Dunham,	Leland,	Speaker,	12

On motion of Mr. Walker,

The House resolved itself into committee of the whole, on the 'bill to incorporate the Port Huron and Lake Michigan Railroad company,' Mr. Andrews in the chair.

After some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

Mr. Ames, from the committee on engrossment and enrollment, reported title V of the proposed revision as correctly engrossed.

On motion of Mr. Sweeney, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. T. Lewis, from the committee on the organization of townships and counties, asked and obtained the unanimous consent of the House to introduce a "bill to attach the south half of sections thirty, thirty-one, thirty-two and thirty-three of township eight north of range two west, in the county of Clinton, to the township of Bingham, in said county," which was read twice and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the bill as correctly engrossed,

And the rule being suspended, it was read the third time and passed, and

On motion of Mr. Hawley, the words 'and for other purposes' were added to the title.

The House then resolved itself into committee of the whole upon the "bill to incorporate the Port Huron and Lake Michigan Railroad Company."

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Wakeman, the House adjourned.

Friday, March 27, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Blair, Hand, Hazelton, W. Lewis, Noble, Palmer, Pierce, Ten Eyck and Thomas, were absent on leave, and Messrs. Ames, Brotherson, Chubb, Graham Parsons and Ransom were absent without leave.

Mr. Giddings asked and obtained leave of absence for Mr. Ransom for an indefinite period.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Chubb, of one hundred and twenty-five voters residing in the lower village of Ann Arbor, to be excluded from the corporate limits of said village; laid on the table.

By Mr. Leland, of D. T. McCollum and forty-three other citizens of the lower village of Ann Arbor, for the same purpose; laid on the table.

By Mr. Sanborn, of citizens of Lapeer county for the correction of the survey of the territorial road from Rochester to Lapeer; referred to the committee on roads and bridges.

REPORTS.

Mr. Glen, from the committee on ways and means, reported back the "bill to provide for paying the assistant librarian and the private secretary of the Governor," with a substitute therefor, and the bill and substitute were referred to the committee of the whole.

Mr. Walker, from the select committee on the sale of the public

works, reported a "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company."

Which was read twice, referred to the committee of the whole and ordered to be printed:

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, March 26, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to amend the charter of the Cottonwood Swamp Turnpike Company," which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also to return the "joint resolution for the relief of George Buck," and the "bill for the relief of Peter Godfroy," which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

Respectfully, &c,

JAMES E. PLATT,
Secretary of Senate

The Senate amendment to the "joint resolution for the relief of George Buck," was concurred in, and the joint resolution as amended, ordered to be enrolled.

On motion of Mr. Hand, the "bill for the relief of Peter Godfroy," together with the Senate amendments thereto, was laid on the table.

On motion of Mr. Rice,

The "bill to amend the charter of the Cottonwood Swamp Turnpike company," together with the Senate amendments thereto, was laid on the table.

Mr. Hand gave notice that on some future day he should ask leave to introduce a "bill to amend an act relative to free schools in the city of Detroit, approved February 17, 1842."

On motion of Mr. Peck,

The House then resolved itself into committee of the whole on the "bill to incorporate the Port Huron and Lake Michigan Railroad company."

And after a short time spent thereon, the committee rose, and by

their chairman reported the bill back to the House, with sundry amendments in which the concurrence of the House was asked.

On motion of Mr. Walker,

The amendments made by the committee of the whole were concurred in, in gross, with the exception of the amendment to the twenty-ninth section, which was non-concurred in.

Mr. Hand moved to lay the bill on the table, which motion was lost by the following vote.

YEAS.

Mr. Barrett,	Mr. Groves,	Mr. Parsons,	
Cole,	Hand,	Rice,	
Cook,	Kennedy,	Toll,	
Glen,	T. Lewis,	Wakeman,	12

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. O'Malley,	
A C Baldwin,	Hawley,	Ord,	
C. Baldwin,	Hollister,	Peck,	
Barbour	Jones,	Sanborn,	
Blair,	Leland,	Scott,	
Brotherson,	Leach,	Sprague,	
Chubb,	McDonald,	Walker,	
Davis,	Moran,	Wing,	
Dunham	Morse,	Speaker,	
Edmunds,			29

Mr. Hand moved to amend the second line of section two, by inserting the words 'and no person shall be competent to be a director of said company who shall not be a citizen of the United States, and a stockholder in said company,' which amendment was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Cook,	Mr. T. Lewis,	
C. Baldwin,	Edmunds,	Moran,	
Barbour,	Hand,	Parsons,	
Chubb,	Kennedy,	Rice,	
Cole,	Leland,	Speaker,	15

NAYS.

Mr. Andrews,	Mr. Hollister,	Mr. Peck,	
A. C. Baldwin,	Jones,	Sanborn,	
Barrett,	Leach,	Scott,	
Blair,	McDonald,	Sprague,	
Brotherson,	Morse,	Toll,	
Davis,	O'Malley,	Wakeman,	
Dunham,	Ord,	Walker,	
Glen,	Patterson,	Wing,	
Hawley,			25

Mr. Hawley moved to amend the fifth line of section five, by inserting after the word 'whom' the words 'shall be resident citizens of this state, and,' which amendment was rejected.

Mr. Wakeman offered the following proviso to section twelve:

'Providing the company shall pay into the treasury of this state such sums of money as three disinterested persons shall adjudge to be just and right; said commissioners to be appointed by the Governor, and the expenses of appraisal to be paid by the said company,' which proviso was adopted by the following vote:

YEAS.

Mr. Andrews,	Mr. Hand,	Mr. Rice,	
C. Baldwin,	Kennedy,	Sprague	
Barrett,	Leland,	Sweeney,	
Cole,	Leach,	Toll,	
Cook,	McDonald,	Wakeman,	
Edmunds,	Moran,	Webster,	
Giddings,	Patterson,	Speaker,	
Glen,			22

NAYS.

Mr. A. C. Baldwin,	Mr Hollister,	Mr. Peck,	
Blair,	Jones,	Sanborn,	
Brotherson,	T. Lewis,	Scott,	
Chubb,	Morse,	Walker,	
Dunham,	O'Malley,	Wing,	
Hawley,	Parsons,		17

On motion of Mr. Peck, all of section twelve after the word 'hereditaments,' in the twenty-seventh line, was stricken out.

On motion of Mr. Hawley, the words 'a majority of whom shall be resident citizens of the United States,' were inserted after the word 'directors,' in the first line of section six.

On motion of Mr. Peck, the two first lines of section twenty-four were stricken out, and the following inserted:

'Sec. 24. The said company shall pay the state an annual tax of one half of one per cent upon the capital stock paid in, until the first day of February eighteen hundred and fifty-one, and thereafter an annual tax of three fourths of one per cent upon its capital stock paid in, and also on all loans made by said company, for the purpose of constructing said railroad.'

On motion of Mr. Hand,

The words 'and construct and put into operation twenty miles of

said Railroad,' were inserted in the second line of section four, after the word 'Railroad.'

On motion of Mr. Jones, the previous question was sustained, and the main question was ordered to be now put.

The main question, being on ordering the bill to be engrossed for a third reading, was put, and carried by the following vote:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. Patterson,
A. C. Baldwin,	Hawley,	Peck,
C. Baldwin,	Hollister,	Rice,
Barbour,	Jones,	Sanborn,
Barrett,	Leach	Scott,
Blair,	McDonald	Sweeney,
Brotherson,	Moran,	Walker,
Davis,	Morse,	Webster,
Dunham,	Ord,	Wing,
Edmunds,		28

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Sprague,
Chubb,	Kennedy,	Toll,
Cole,	Leland,	Wakeman,
Cook,	Parsons,	Speaker,
Glen,		13

Mr. Rice, by unanimous consent, gave notice that he should, on some future day, ask leave to introduce a bill to amend the charter of the Erie and Kalamazoo Railroad company.

On motion of Mr. Toll, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Giddings, by unanimous consent, presented a petition of Jos. Miller, Jr., and other citizens of Kalamazoo, for the incorporation of a company to construct a railroad from Kalamazoo to Grand Rapids; referred to the committee on banks and incorporations.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole, on the general order, Mr. Jones in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back with sundry amendments, in which the concurrence of the House was asked,

A "bill to amend an act entitled an act to incorporate the Gibraltar and Flat Rock conpany;"

A "bill to incorporate the Battle Creek and Grand Rapids Railroad company;"

A "bill to incorporate the Huron River Canal company;"

A "bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company;" and,

A "bill to incorporate the Marshall and Union City plank road Company."

On motion of Mr. Hand, the House adjourned.

Satnrday, March 28, 1846.

The House met pursuant to adjournment, and was called to order the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. Blair, Hand, W. Lewis, Noble, Palmer, Pierce, Ransom, TenEyck and Thomas were absent on leave, and Messrs. Ames, Chubb, Leach, O'Malley Ord, Sanborn and Sweeney were absent without leave.

Mr. T. Lewis asked and obtained leave of absence for Mr. Ord, for the day

The journal of yesterday was read and approved.

The Speaker presented the resolutions the Washingtonian society of Dundee, in favor of the license law of 1845, and recommending that its provisions be incorporated in the proposed revision of the statutes; laid on the table.

Mr. Dunham from the committee on claims, reported back the claims of L. Pasquelle and A. Kaminsky, and recommended that they be referred to the committee on ways and means, to be incorporated in the general appropriation bill.

The report was accepted, and the claims referred to the committee on ways and means.

The following communication was announced;

SENATE CHAMBER,
March 27, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the following bills

and joint resolution which the Senate have passed, and respectfully ask the concurrence of the House therein;

A "bill to change the name of the village of Palmer, in the county of St. Clair;"

"Joint resolution authorizing the Governor to issue a patent to Jeremiah Silver;"

A "bill declaratory of the interests of the State of Michigan in mines and minerals."

Also to return the "joint resolution in relation to the claim of James S. Clark," and to respectfully inform you that the Senate have adopted the same.

Also to return the following bills which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

A "bill to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern railroad, approved March 9, 1843;"

A "bill to authorize the supervisors of the county of Jackson to re-assess certain taxes returned to the treasurer of said county as delinquent in 1839, and rejected by the auditor general;"

A "bill to authorize Amos Brownson and Elisha Doan to erect a dam across the St. Joseph river, in the county of St. Joseph."

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The "joint resolution relative to the claim of James S. Clark" was ordered to be enrolled.

The "bill to change the name of the village of Palmer in the county of St. Clair," was read twice and referred to the committee of the whole.

The "joint resolution authorizing the Governor to issue a patent to Jeremiah Silver," was read twice and referred to the committee on public lands.

The "bill declaratory of the interests of the state of Michigan in mines and minerals," was read twice and referred to the committee on federal relations.

The Senate amendments to the "bill to authorize Amos Brownson

and Elisha Doan to erect a dam across the St. Joseph river, in the county of St. Joseph;"

The "bill to repeal part of an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843;" and

The "bill to authorize the supervisors of the county of Jackson to re-assess certain taxes returned to the treasurer of said county as delinquent in 1839, and rejected by the auditor general, were severally concurred in, and the bills as amended were ordered to be enrolled.

On motion of Mr. Walker, the "joint resolution relative to the leasing of the Clinton and Kalamazoo canal," was taken from the table.

On motion of Mr. Peck, the "bill for the relief of Peter Godfroy," was taken from the table.

On motion of Mr. Brotherson,

Resolved, That the committee to whom was referred so much of the governor's message as relates to the sale of the state Railroads, be instructed to report to this House all the offers that have been made to that committee for the purchase of the Southern Railroad; and also, if any, the offers made for the Tecumseh branch Railroad, and that they be instructed to report from time to time, all such offers as they may receive for either of these roads.

UNFINISHED BUSINESS.

On motion of Mr. Cook,

The "joint resolution relative to the leasing of the Clinton and Kalamazoo canal," was referred to the committee on ways and means.

The "bill for the relief of Peter Godfroy" being under consideration, and the question being on concurring in the Senate amendment thereto

On motion of Mr. Hand,

The same was amended by adding thereto the following proviso:

"And provided further, that at the time the state sold the said land to said Godfroy, the state was authorized to make such sale, and in case the state had no such authority to make such sale to said Godfroy, then the auditor general shall issue his warrant to said Godfroy for the amount of moneys paid by the said Godfroy to the state, on his said contract, with interest thereon from time of payment, which

shall be paid from any money in the treasury not otherwise appropriated."

The Senate amendment, as amended, was then concurred in.

Mr. Brotherson from the committee on engrossment and enrollment, reported as correctly engrossed,

The "bill to incorporate the Port Huron and Lake Michigan Railroad Company."

Also reported the following bills and joint resolution as correctly enrolled, and that the same were this day presented to the Governor for his approval, viz:

A "bill to authorize Lucius Patterson to erect a dam across Flat river, in the county of Ionia;"

A "bill to authorize the sale of a part of section sixteen, in the township of Pennfield, Calhoun county, for the purposes of a burying ground;" and

A "joint resolution in relation to the claim of James S. Clark."

The House then resumed the consideration of the unfinished business, and the amendments made in committee of the whole to the "bill to amend an act entitled an act to incorporate the Gibraltar and Flat Rock Company," were concurred in, and the bill was ordered to be engrossed and read the third time.

The amendments made in committee of the whole to the "bill to incorporate the Battle Creek and Grand Rapids Railroad Company," were all concurred in except the last, which amendment was in the following words;

"Sec. 25. The state reserves the right at any time after thirty years after the passage of this act, by a vote of two thirds of each branch of the legislature, to alter, amend or repeal the same, provided, that said company shall be compensated by the state for all damages sustained by reason of such alteration, amendment or repeal."

Mr. Cook offered the following as a substitute for the amendment:

'Sec. 25. The legislature may at any time alter, amend or repeal this act.'

Which substitute was rejected, and the original amendment concurred in.

On motion of Mr. Edmunds,

The following words were stricken out of section twenty-five :

"And for the non-performance by said company of any act by this section required to be done, said company shall forfeit and pay to the party aggrieved, the sum of fifty dollars, to be recovered in an action of debt."

Mr. Cook moved to add the following section to the bill:

"Sec. The president, directors and stockholders of this corporation shall be jointly, severally and individually liable for the debts of this company."

On motion of Mr. Barbour,

The words "after the corporate property shall have been exhausted," were added to the section, and it was, as amended, then adopted by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Palmer,	
C. Baldwin,	Groves,	Parsons,	
Barbour,	Hawley,	Peck,	
Cole,	Hollister,	Sprague,	
Cook,	Kennedy,	Toll,	
Davis,	Leland,	Webster,	
Edmunds,	T. Lewis,	Wing,	
Giddings	Morse,	Speaker,	
Glen,			25

NAYS.

Mr. A. C. Baldwin,	Mr. Hazelton,	Mr. Patterson,	
Blair,	Jones,	Rice,	
Chubb,	McDonald,	Sanborn,	
Dunham,	Moran,	Wakeman,	
Hand,			13

The bill was then ordered to be engrossed, and read the third time.

Mr. Walker moved a suspension of the rule, so that the "bill to incorporate the Port Huron and Lake Michigan Railroad Company," could be put on its passage, which motion prevailed by a two-thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Glen,	Mr. Parsons,	
A. C. Baldwin,	Groves,	Patterson,	
C. Baldwin,	Hazleton,	Peck,	
Barbour,	Hollister,	Rice,	
Blair,	Jones,	Sanborn,	
Brotherson,	Kennedy,	Scott,	
Chubb,	Leach,	Sprague,	
Davis,	T. Lewis,	Walker,	
Dunham,	McDonald,	Wing,	
Edmunds,	Morse,	Speaker,	30

NAYS.

Mr. Cole,	Mr. Hawley,	Mr. Palmer,	
Cook,	Leland,	Toll,	
Graham,	Moran,	Wakeman,	
Hand,			10

The bill was then read the third time, when,

Mr. Walker moved the previous question, which was sustained, and the main question was ordered to be now put.

The main question being on the passage of the bill, was then put and lost, by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. A. C. Baldwin,	Mr. Hollister,	Mr. Patterson,
C. Baldwin,	Jones,	Peck,
Barbour,	Kennedy,	Rice,
Barrett,	Leach,	Sanborn,
Blair,	T. Lewis,	Scott,
Brotherson,	McDonald,	Sprague,
Dunham,	Morse,	Walker,
Hawley,	Palmer,	Wing,
Hazleton,		

NAYS.

Mr. Andrews,	Mr. Edmunds,	Mr. Hand,	
Brotherson,	Giddings,	Moran,	
Chubb,	Glen,	Toll,	
Cole,	Graham,	Wakeman,	
Davis,	Groves,	Speaker,	15

The House then resumed the consideration of the unfinished business, and the amendments made in committee of the whole to the "bill to incorporate the Huron River Canal Company," were severally concurred in, and

On motion of Mr. A. C. Baldwin,

The words "by a vote of two-thirds of each house," were stricken out of section nineteen, and the bill was then ordered to be engrossed for a third reading.

The amendments made in committee of the whole to the "bill to amend an act entitled an act to incorporate the Detroit and Grand River Plank Road Company, approved March 12, 1844," were severally concurred in.

On motion of Mr. Peck,

The word "three" was stricken out of the thirteenth line of section

one, and "two" inserted, and the word "on" in the thirty-fourth line of section ten, was stricken out and the word "and" inserted.

Mr. Cook moved to add the following section to the bill:

Sec. —. The legislature may at any time alter, amend, modify or repeal this act, or the act to which this is amendatory.

On motion of Mr. Peck,

The words "on making compensation to said company" were added to the section, which was then adopted, and the bill ordered to be engrossed for a third reading.

The amendments made in committee of the whole to the "bill to incorporate the Marshall and Union City Plank Road Company," were severally concurred in, and the bill ordered to be engrossed for a third reading.

The House resolved itself into committee of the whole on title XXI of the proposed revision, Mr. Cook in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Toll, the House adjourned.

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Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Peck, being one of the twenty-five who voted for the passage of the bill to incorporate the Port Huron and Lake Michigan Railroad company," moved a reconsideration of the vote by which the bill was lost.

The Speaker decided the motion to be out of order, for the same reason that similar motions had been heretofore declared out of order.

Mr. Peck appealed from this decision, and

On motion of Mr. Hazleton, the appeal was laid on the table.

Mr. Davis, being one of the fifteen who voted against the passage of the bill, moved a reconsideration of the vote by which the bill was lost.

The Speaker decided the motion to be out of order.

Mr. Davis appealed from the decision, and

On motion of Mr. Hazleton, the appeal was laid on the table.

The House resolved itself into committee of the whole, on title XXI of the proposed revision, Mr. Cook in the chair,

And after some time spent thereon, the committee rose, and by their chairman reported progress, and asked leave to sit again, which leave was not granted.

Mr. Ames, from the committee on engrossment and enrollment, reported the following bills as correctly engrossed:

A 'bill to amend an act entitled an act to incorporate the Gibraltar and Flat Rock company;'

A 'bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company, approved March 12, 1844;'

A 'bill to incorporate the Marshall and Union City plank road company;' and

A 'bill to incorporate the Huron river canal company.'

On motion of Mr. Peck, title XXI of the proposed revision was laid on the table.

On motion of Mr. Brotherson,

The 'bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road,' was taken from the table, and the question being on the passage of the bill, it was passed.

On motion of Mr. Barbour,

The report of the committee of conference on titles III and VII was taken from the table and the report was concurred in by the House.

On motion of Mr. Rice,

The House adjourned.

Monday, March 30, 1846.

The House met pursuant to adjournment and was called to order the Speaker.

Prayer by Rev. Mr. Inglis.

The roll was called and Messrs. Blair, Hand, Pierce, Ransom, Ten Eyck and Walker were absent on leave, and Messrs. Hawley, T. Lewis, Sanborn and Sweeney were absent without leave.

Mr. Davis asked and obtained leave of absence for Mr. Sanborn until Saturday next.

Mr. Patterson for Mr. Sweeney for an indefinite time.

The journal of Saturday was read and approved.

PETITIONS PRESENTED.

By Mr. W. Lewis, of Peter Falk and sixteen others of Barry and adjoining counties, relative to a state road leading from Van Vleick's tavern to Knapp's tavern; referred to the committee on roads and bridges.

Also a remonstrance of Isaac Otis and thirty-four others, of Barry and adjoining counties, relative to the said road; same reference.

Also a petition of Adam Lapham and twenty-six others, of Barry county, for the passage of a law authorizing each school district in this state to raise seventy-five dollars by tax, for the support of qualified teachers; referred to the committee on education.

REPORTS.

Mr. Dunham, from the committee on claims, reported back the claims of S. N. Gantt and of G. F. Rood & Co., and recommended that the claims be referred to the committee on ways and means, to be incorporated in the appropriation bills.

The report was accepted, and the claims referred to the committee on ways and means.

On motion of Mr. Hazelton,

The committee of ways and means were instructed to report the appropriation for expenses incurred by the legislature of 1846 in a separate bill.

Mr. Groves, from the committee on public lands, reported back the Senate joint resolution authorizing the Governor to issue a patent to Jeremiah Silver, and recommended its passage.

The report was accepted, and the joint resolution was referred to the committee of the whole.

Mr. Hand, from the select committee on the sale of the public works, made the following report which was accepted:

The select committee on the sale of the works of internal improvement, in pursuance of a resolution of this House, of the tenor following, to wit:

"*Resolved*, That the committee to whom was referred so much of

the Governor's message as relates to the sale of the state railroads, be instructed to report to this House all the offers that have been made to that committee for the purchase of the Southern Railroad; and also, if any, the offers made for the Tecumseh branch Railroad, and that they be instructed to report from time to time all such offers as they may receive for either of these roads," beg leave to report—That but one offer has been made to said committee for the purchase of the Southern Railroad, including the Tecumseh branch; the terms of which offer are fully set forth in the bill recently reported by said committee to the House for the sale of this Railroad; and that no offer has been made to said committee for the purchase of the Tecumseh branch of said road as a distinct and separate work.

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Detroit, March 28, 1846.

To the House of Representatives,

I have this day approved, signed and deposited in the office of the Secretary of State, "an act to authorize the sale of the Central Rail Road and to incorporate the Michigan Central Rail Road Company."

ALPHEUS FELCH.

The following communication was announced;

SENATE CHAMBER,
March 28, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that they have concurred in the report of the committee of conference upon the disagreement of the two Houses upon title III of the revision.

Respectfully, &c,

JAMES E. PLATT,
Secretary of Senate

Mr. A. C. Baldwin asked and obtained the unanimous consent of the House, previous notice not having been given, to introduce a "bill relative to proceedings against persons or incorporations usurping corporate powers, liberties or franchises, and incorporations guilty of misuser or nonuser," which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Hand, pursuant to previous notice, asked and obtained leave

to introduce a "bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842," which was read twice and referred to the committee on education.

THIRD READING OF BILLS.

The "bill to amend an act entitled an act to incorporate the Gibraltar and Flat Rock Company," was read the third time and passed by the following vote, two-thirds voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Palmer,	
Andrews,	Hazleton	Parsons,	
A. C. Baldwin,	Hollister,	Patterson,	
C. Baldwin,	Jones,	Peck,	
Barbour,	Kennedy,	Rice,	
Barrett,	Leland,	Sprague	
Blair,	T. Lewis,	Thomas,	
Brotherson,	W. Lewis,	Toll,	
Chubb,	McDonald,	Wakeman,	
Cole,	Moran,	Webster,	
Davis,	Morse,	Wing,	
Edmunds,	O'Malley,	Speaker,	
Groves,	Ord,		38

NAYS.

Mr. Cook,	Mr Graham,	2

The "bill to amend an act entitled an act to incorporate the Detroit and Grand river plank road company, approved March 12, 1844," was read the third time and passed by a two thirds vote, as follows:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Palmer,	
A. C. Baldwin,	Hazleton,	Parsons,	
C. Baldwin,	Hollister,	Patterson,	
Barbour,	Jones,	Peck,	
Barrett,	Kennedy,	Rice,	
Blair,	Leland,	Scott,	
Brotherson,	T. Lewis,	Sprague,	
Chubb,	W. Lewis,	Thomas,	
Cole,	McDonald,	Toll,	
Davis,	Moran,	Wakeman,	
Dunham,	Morse,	Webster,	
Edmunds,	O'Malley	Wing,	
Giddings,	Ord,	Speaker,	
Glen,			40

NAYS.

Mr. Andrews,	Mr. Cook,	Mr. Graham,	3

The "bill to incorporate the Marshall and Union City plank road

company," was read the third time and passed by a two thirds vote as follows:

YEAS.

Mr Ames,	Mr. Groves,	Mr. Ord,	
A C Baldwin,	Hand,	Palmer,	
C. Baldwin,	Hazleton,	Parsons,	
Barbour	Hollister,	Patterson,	
Barrett,	Jones,	Peck,	
Blair,	Kennedy,	Rice,	
Brotherson,	Leland,	Sprague,	
Chubb,	T. Lewis,	Thomas,	
Cole,	W. Lewis,	Toll,	
Davis,	McDonald,	Wakeman,	
Edmunds,	Moran,	Webster,	
Giddings,	Morse,	Wing,	
Glen,	O'Malley,	Speaker,	39

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Scott,	
Cook,			4

The "bill to incorporate the Huron river canal company," was read the third time, when

Mr. Hazleton moved to commit the bill to a select committee of three, with instructions to strike out the nineteenth section, which motion was lost.

By unanimous consent of the House, on motion of Mr. Ames, the words "for any violation of its charter," were stricken out of the nineteenth section, and the bill was then passed, two thirds voting in the affirmative, as follows:

Mr. Ames,	Mr. Hazleton,	Mr. Parsons,	
A. C. Baldwin,	Hollister,	Patterson,	
C. Baldwin,	Jones,	Peck,	
Barbour,	Leland,	Rice,	
Barrett,	T. Lewis,	Scott,	
Blair,	W. Lewis,	Sprague,	
Brotherson,	Moran,	Thomas,	
Chubb,	Morse,	Wakeman,	
Cole,	O'Malley,	Webster,	
Davis,	Ord,	Wing,	
Edmunds,	Palmer,	Speaker,	
Hand,			34

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Kennedy,	
Cook,	Groves,	McDonald,	
Glen,			7

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to incorporate the Battle Creek and Grand River Railroad Company," and the bill was read the third time, when by unanimous consent,

On motion of Mr. Barbour, the twenty-fourth section of the bill was stricken out, and the following inserted:

"Section 24. The legislature may at any time alter, amend or repeal this act."

On motion of Mr. Hand, by unanimous consent, the words "and the said president and directors, or a majority of them shall have power to determine the manner of adjusting and settling accounts against the company," were stricken out of section ten.

On motion of Mr. Edmunds,

By unanimous consent, the word 'wilfully,' was inserted before the word 'injure,' in the third line of section 18; and the bill was then passed by a unanimous vote, as follows:

YEAS.

Mr. Ames,	Mr. Edmunds,	Mr. O'Malley,	
Andrews,	Graham,	Ord,	
A. C. Baldwin,	Groves	Palmer,	
C. Baldwin,	Hand,	Parsons,	
Barbour,	Hazleton,	Patterson,	
Barrett,	Hollister,	Peck,	
Blair,	Jones,	Rice,	
Brotherson,	Kennedy,	Sprague,	
Chubb,	Leland	Thomas	
Cole,	T. Lewis,	Toll,	
Cook,	W. Lewis,	Wakeman,	
Davis,	McDonald	Wing,	
Dunham,	Morse,	Speaker,	39

NAYS. 0

The question being on the title,

On motion of Mr. A. C. Baldwin, the word 'river' was stricken out, and 'rapids' inserted.

By unanimous consent, on motion of Mr. Rice, the "bill to amend the charter of the Cottonwood swamp turnpike company," together with the Senate amendments thereto, was taken from the table, and the question being on concurring in the Senate amendments, they were non-concurred in.

On motion of Mr. Rice, a committee of conference was ordered

to be appointed on the part of the House on the disagreement between the two houses on said bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee on the part of the House, Messrs. Rice, Patterson and Graham.

The House resolved itself into committee of the whole, on the general order, Mr. Cole in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back without amendment,

A 'bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844,' and

A "joint resolution authorizing the Governor to issue a patent to Jeremiah Silver;"

Also, reported back the "bill to provide for paying the assistant librarian, and the private secretary of the Governor," with an amendment, in which the concurrence of the House was asked.

The "joint resolution authorizing the Governor to issue a patent to Jeremiah Silver," was ordered to be read the third time.

The "bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844," was ordered to be engrossed and read the third time.

The amendment being a substitute to the "bill to provide for paying the assistant librarian, and the private secretary to the Governor," was concurred in, and the bill ordered to be engrossed, and read the third time.

On motion of Mr. C. Baldwin, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Patterson, title XXI of the proposed revision was taken from the table.

On motion of Mr. Peck,

The vote was reconsidered by which the House refused to grant leave to the committee of the whole to sit again on said title, and the question recurring on granting leave to the committee to sit again,

Leave was granted.

The House then went into committee of the whole on title XXI of the proposed revision, Mr. Cook in the chair.

After some time spent thereon, the committee rose, and by their chairman reported the title back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Peck, the title and amendments were laid on the table.

Mr. Ord, from the committee on engrossment and enrollment, reported the following bills and joint resolution as correctly enrolled, and that the same were this day presented to the Governor for his signature, viz:

A 'bill to authorize the supervisors of the county of Jackson to reassess certain taxes returned to the treasurer of said county, as delinquent in 1839, and rejected by the Auditor General;"

A "bill to authorize Josiah Russell, Thomas H. Myers, and Ira Porter, to erect a dam across Flat river, in the county of Montcalm;" and, "a joint resolution for the relief of George Buck."

Also reported as correctly engrossed, a "bill to provide for paying the assistant librarian and the private secretary of the Governor;"

And a "bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844."

On motion of Mr. O'Mally, the House adjourned.

Tuesday, March 31, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. Ransom, Sanborn, Sweeney, Ten Eyck and Walker were absent on leave, and Mr. Moran absent without leave.

Mr. Ord asked and obtained leave of absence for Mr. Moran, for the day.

The journal of yesterday was read and approved.

Mr. Mac Donald presented the petition of D. C. Jackson, supervisor of the township of Woodstock, Lenawee county, and thirty-three

others, relative to certain non-resident highway taxes for the year 1845; referred to the committee on ways and means.

Mr. Dunham, from the committee on claims, reported back the claim of R. W. Jenny, and recommended that it be referred to the committee on ways and means to be incorporated in the appropriation bill.

The report was accepted, and the claim referred to the committee on ways and means.

Mr. Andrews, from the committee on education, reported back the "bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842," without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Mr. Andrews, from the same committee, reported back the petition of Adam Lapham and twenty-six others of Barry and adjoining counties, relative to levying a tax for the support of school teachers, and reported that no legislative action was expedient.

The report was accepted and the committee discharged from the further consideration of the subject.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, March 26, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill for the relief of Peter Godfroy," and to respectfully inform you that the Senate have concurred in the House amendment to the Senate amendment to said bill.

Respectfully, &c.,
J. E. PLATT,
Sec'y of Senate.

The "bill for the relief of Peter Godfroy" was ordered to be enrolled.

The following communication was announced:

SENATE CHAMBER,
Detroit, March 30, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill to provide for improving the state road from Flint village to Ann Arbor, in the

county of Washtenaw," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also to return the following bills which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House:

A "bill to provide for the laying out of certain state roads;"

A "bill to attach sections 31, 32, 33, and the south half of section 30, of town 8, north of range 2 west, in Clinton county, to the township of Bingham, in said county, and for other purposes;" and

A "bill to provide for laying out and establishing certain state roads in the county of Hillsdale."

Also to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the disagreement between the two Houses upon titles VI and VII of the revision.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The "bill to provide for improving the state road from Flint village to Ann Arbor, in the county of Washtenaw," was read twice and referred to the committee on roads and bridges.

The Senate amendments to the "bill to provide for the laying out of certain state roads," and

To the "bill to attach sections 31, 32, 33, and the south half of section 30, in town 8, north of range 2 west, in Clinton county, to the township of Bingham, in said county, and for other purposes," were severally concurred in, and the bills as amended were ordered to be enrolled.

On motion of Mr. Webster,

The "bill to provide for laying out and establishing certain state roads in the county of Hillsdale," together with the Senate amendments thereto, was laid on the table.

Mr. Peck moved to take from the table the appeals from the decision of the Speaker laid on the table on Friday, the 27th instant, which motion was lost.

On motion of Mr. Groves,

The "bill to provide for the administration of justice," together with the amendments made thereto by the committee of the whole, was taken from the table.

On motion of Mr. Webster,

Title XXI of the proposed revision, together with the amendments made thereto in committee of the whole, was taken from the table.

Mr. Hazelton, pursuant to previous notice, asked and obtained leave to introduce a "bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district," which was read twice and referred to the committee on education.

On motion of Mr. Edmunds,

Resolved, That the committee on the judiciary be instructed to report to this house the resolution proposing an amendment to the second article of the constitution, relative to the elective franchise, together with their opinion as to the propriety of its adoption.

Mr. Patterson gave notice that he should on some future day ask leave to introduce a bill to reduce the pay of members after the first day of April.

The "bill to provide for paying the assistant librarian, and the private secretary of the governor;"

The "bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand river road, approved March 9, 1844;" and,

The "joint resolution authorizing the Governor to issue a patent to Jeremiah Silver," were severally read the third time and passed.

UNFINISHED BUSINESS.

The House then took up the "bill to provide for the administration of justice," and the question being on concurring in the amendments made in committee of the whole,

On motion of Mr. Barritt,

The amended section nineteen was further amended by striking out the words, "founded on contracts express or implied," and the printed section nineteen was reinstated.

On motion of Mr. Blair,

The amendments made in committee of the whole were concurred in, in gross.

On motion of Mr. Groves, all after the word "justice" in the third line of section seventeen, on page twenty-five, was stricken out.

On motion of Mr. Hazleton, the following was added to stand as a new section, after section twenty-five, on page fifteen:

Sec. Upon payment being made by any person so entitled to redeem any real estate, sold as before provided, the sale of the premises so redeemed, and the certificate of such sale shall be null and void, and the said premises shall be for ever disencumbered of the mortgage by virtue of which they shall have been sold.

On motion of Mr. Hazleton, the following words were added to section twenty-two, on page fourteen: "Unless by a special agreement, the condition thereof being specified in said mortgage."

On motion of Mr. Edmunds, the following was added to section sixty-six, on page thirty-eight: "4th, Or that the defendant has removed, or is about to remove, or has been or is about to be removed beyond the jurisdiction of the court."

On motion of Mr. Barritt, the following amendments were made to the bill:

Add the following proviso to section thirty-nine, on page thirty-one: "Provided that the court may, in his discretion, admit further testimony any time before the cause is finally submitted to such court, or to the jury."

Strike out of the seventh line of section thirty-three, on page seventeen, the words 'equal moiety,' and insert 'share;' and insert after the word 'value' in the same line, the words 'according to the interest of each therein.'

Strike out sections eight, nine, ten, eleven, twelve, thirteen and fourteen, on pages sixty-eight and sixty-nine.

Strike out of the first line of section fifteen, on page sixty-nine, the words 'fourth day of July,' and insert 'first Monday of January.'

Also, in the same section, strike out of the second and third lines, the words 'by the supervisors on the fourth Monday of June,' and insert 'at the general election in November.'

Restore the first and fifth lines of the printed copy of section ten, on page ten.

Strike out of section thirty-five, on page nineteen, the words 'the county clerks of the circuit courts shall, on or before the fourth day of July next, deliver to the clerks of the county courts all the business papers and books in such circuit courts.'

On motion of Mr. Kennedy, the fourth line of section thirty-seven, on page thirty, was amended by striking out the words 'a second or subsequent adjournment,' and inserting 'an adjournment after a former adjournment has been had.'

Mr. Peck moved to commit the bill to a select committee, with instruction to strike out sections twelve and thirteen, on page forty-eight, and insert the provisions of the revised statutes relative to grand jurors, which motion was lost.

On motion of Mr. Hazleton, the bill to provide for the administration of justice, and title XXI of the proposed revision were referred to a select committee, with instructions to strike out all of said title, except that portion relating to probate courts, and to insert said bill in lieu of the portion stricken out, and to report forthwith.

The Speaker appointed as such committee, Messrs. Hazleton, Barrett and Chubb.

Mr. C. Baldwin moved that the House resolve itself into committee of the whole, on the general order, which motion was lost.

Mr. O'Malley moved an adjournment, which motion was decided in the negative.

Mr. Hawley moved that the House go into committee of the whole on the general order, which motion did not prevail.

On motion of Mr. A. C. Baldwin,

The committee of the whole were discharged from the further consideration of the "bill for the relief of Isaiah J. Hudson," and the bill was laid on the table.

Mr. Cook moved that the House resolve itself into committee of the whole on the general order, which motion was lost.

On motion of Mr. Peck,

The committee of the whole were discharged from the further consideration of the "bill to change the name of the village of Palmer in the county of St. Clair,"

And the bill was ordered to a third reading, read the third time and passed.

Mr. Hazleton, from the select committee to whom was referred title XXI of the proposed revision, together with the bill to provide for the administration of justice, with instructions, reported the said title back, amended in accordance with the instructions.

The report was accepted and the committee discharged.

Title XXI as amended, was then ordered to be engrossed for a third reading by yeas and nays as follows:

YEAS.

Mr. C. Baldwin,	Mr. Hazleton,	Mr. Parsons,	
Barrett,	Hollister,	Pierce,	
Blair,	Jones,	Rice,	
Brotherson,	Kennedy,	Scott,	
Chubb,	Leland,	Sprague,	
Cole,	Leach,	Thomas,	
Davis,	McDonald,	Toll,	
Edmunds,	Morse,	Webster,	
Groves,	Palmer,	Wing,	
Hawley,			28

NAYS.

Mr. Ames,	Mr. Glen,	Mr. O'Malley,	
Andrews,	Graham,	Ord,	
A. C. Baldwin,	Hand,	Patterson,	
Barbour,	T. Lewis,	Peck,	
Cook,	W. Lewis,	Speaker,	
Dunham,	Noble,		17

On motion of Mr. Webster,

The vote was reconsidered by which the House this morning refused to take from the table the appeal from the decision of the Speaker, laid on the table on Friday last.

And the question recurring on the motion to take up the appeal, it prevailed, by the following vote:

YEAS.

Mr. Ames,	Mr. Hazelton,	Mr. Ord,	
Andrews,	Hollister,	Palmer,	
A. C. Baldwin,	Jones,	Patterson,	
C. Baldwin,	Kennedy,	Peck,	
Barbour,	Leland,	Pierce,	
Barrett,	Leach,	Rice,	
Blair,	T. Lewis,	Scott,	
Brotherson,	W. Lewis,	Sprague,	
Chubb,	McDonald,	Thomas,	
Dunham,	Morse,	Webster,	
Edmunds,	Noble,	Wing,	
Hawley,	O'Mally,	Speaker,	36

NAYS.

Mr. Cole,	Mr. Glen,	Mr. Hand,	
Cook,	Graham,	Parsons,	
Davis,	Groves,	Toll,	9

The appeal taken by Mr. Peck, being before the House,

And the question being, shall the decision of the chair stand as the opinion of the House, it was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Barbour,	Mr. Glen,	Mr. T. Lewis,	
Chubb,	Graham,	W. Lewis,	
Cole,	Groves,	Patterson,	
Cook,	Hand,	Sprague,	
Dunham,	Kennedy.	Toll,	15

NAYS.

Mr. Ames,	Mr. Hazleton,	Mr. Palmer,	
Andrews,	Hollister,	Parsons,	
A. C. Baldwin,	Jones,	Peck,	
C. Baldwin,	Leland,	Pierce,	
Barrett,	Leach,	Rice,	
Blair,	McDonald,	Scott,	
Brotherson,	Morse,	Thomas,	
Davis,	Noble,	Webster,	
Edmunds,	Ord,	Wing,	
Hawley,			28

Mr. Toll moved an adjournment, but the House refused to adjourn.

Mr. Toll moved a call of the House, which motion was lost.

The question then recurring on the motion to reconsider the vote by which the "bill to incorporate the Port Huron and Lake Michigan Railroad Company," was defeated on its passage, it was re-considered by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Hazelton,	Mr. Palmer,	
A. C. Baldwin,	Hollister,	Patterson,	
C. Baldwin,	Jones,	Peck,	
Barbour,	Kennedy,	Pierce,	
Barrett,	Leland,	Rice,	
Blair,	Leach,	Scott,	
Brotherson,	T. Lewis,	Sprague,	
Chubb,	W. Lewis,	Thomas,	
Davis,	McDonald,	Webster,	
Dunham,	Morse,	Wing,	
Edmunds,	Noble,	Speaker,	
Hawley,	Ord,		35

NAYS.

Mr. Andrews,	Mr. Glen,	Mr. Hand,	
Cole,	Graham,	Parsons,	
Cook,	Groves,	Toll,	9

On motion of Mr. Hawley,

The House adjourned.

The report was accepted and the committee discharged.

Title XXI as amended, was then ordered to be engrossed for a third reading by yeas and nays as follows:

YEAS.

Mr. C. Baldwin,	Mr. Hazleton,	Mr. Parsons,	
Barrett,	Hollister,	Pierce,	
Blair,	Jones,	Rice,	
Brotherson,	Kennedy,	Scott,	
Chubb,	Leland,	Sprague,	
Cole,	Leach,	Thomas,	
Davis,	McDonald,	Toll,	
Edmunds,	Morse,	Webster,	
Groves,	Palmer,	Wing,	
Hawley,			28

NAYS.

Mr. Ames,	Mr. Glen,	Mr. O'Malley,	
Andrews,	Graham,	Ord,	
A. C. Baldwin,	Hand,	Patterson,	
Barbour,	T. Lewis,	Peck,	
Cook,	W. Lewis,	Speaker,	
Dunham,	Noble,		17

On motion of Mr. Webster,

The vote was reconsidered by which the House this morning refused to take from the table the appeal from the decision of the Speaker, laid on the table on Friday last.

And the question recurring on the motion to take up the appeal, it prevailed, by the following vote:

YEAS.

Mr. Ames,	Mr. Hazelton,	Mr. Ord,	
Andrews,	Hollister,	Palmer,	
A. C. Baldwin,	Jones,	Patterson,	
C. Baldwin,	Kennedy,	Peck,	
Barbour,	Leland,	Pierce,	
Barrett,	Leach,	Rice,	
Blair,	T. Lewis,	Scott,	
Brotherson,	W. Lewis,	Sprague,	
Chubb,	McDonald,	Thomas,	
Dunham,	Morse,	Webster,	
Edmunds,	Noble,	Wing,	
Hawley,	O'Mally,	Speaker,	36

NAYS.

Mr. Cole,	Mr. Glen,	Mr. Hand,	
Cook,	Graham,	Parsons,	
Davis,	Groves,	Toll,	9

The appeal taken by Mr. Peck, being before the House,

And the question being, shall the decision of the chair stand as the opinion of the House, it was decided in the negative, by yeas and nays, as follows:

YEAS.

Mr. Barbour,	Mr. Glen,	Mr. T. Lewis,	
Chubb,	Graham,	W. Lewis,	
Cole,	Groves,	Patterson,	
Cook,	Hand,	Sprague,	
Dunham,	Kennedy.	Toll,	15

NAYS.

Mr. Ames,	Mr. Hazleton,	Mr. Palmer,	
Andrews,	Hollister,	Parsons,	
A. C. Baldwin,	Jones,	Peck,	
C. Baldwin,	Leland,	Pierce,	
Barrett,	Leach,	Rice,	
Blair,	McDonald,	Scott,	
Brotherson,	Morse,	Thomas,	
Davis,	Noble,	Webster,	
Edmunds,	Ord,	Wing,	
Hawley,			28

Mr. Toll moved an adjournment, but the House refused to adjourn.

Mr. Toll moved a call of the House, which motion was lost.

The question then recurring on the motion to reconsider the vote by which the "bill to incorporate the Port Huron and Lake Michigan Railroad Company," was defeated on its passage, it was re-considered by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Hazelton,	Mr. Palmer,	
A. C. Baldwin,	Hollister,	Patterson,	
C. Baldwin,	Jones,	Peck,	
Barbour,	Kennedy,	Pierce,	
Barrett,	Leland,	Rice,	
Blair,	Leach,	Scott,	
Brotherson,	T. Lewis,	Sprague,	
Chubb,	W. Lewis,	Thomas,	
Davis,	McDonald,	Webster,	
Dunham,	Morse,	Wing,	
Edmunds,	Noble,	Speaker,	
Hawley,	Ord,		35

NAYS.

Mr. Andrews,	Mr. Glen,	Mr. Hand,	
Cole,	Graham,	Parsons,	
Cook,	Groves,	Toll,	9

On motion of Mr. Hawley,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The "bill to incorporate the Port Huron and Lake Michigan Railroad Company," being before the House,

Mr. Toll moved to commit the bill to the committee of ways and means with instructions to strike out section thirty, and to insert in lieu thereof a provision that the legislature may at any time alter, amend or repeal this act; and also to inquire and report what effect the passage of the bill will have on the proposed sale of the Central Railroad; and further that said committee be instructed to insert a section requiring the company to carry the United States mail upon reasonable terms.

Mr. Cook moved to amend the instructions by instructing the committee to add the following section to the bill, which motion was lost:

Sec. —. The president, directors and stockholders of this corporation shall be jointly, severally and individually liable for the debts of this company, after first exhausting the corporate property of the same.

The question then recurring on the motion made by Mr. Toll, it was decided in the negative by the following vote:

YEAS.

Mr. Andrews,	Mr. Edmunds,	Mr. Kennedy,	
Barbour,	Glenn,	Palmer,	
Barrett,	Graham,	Thomas,	
Cook,	Groves,	Toll,	
Davis,	Hawley,	Speaker,	15

NAYS.

Mr. Ames,	Mr. Leland,	Mr. Peck,	
C. Baldwin,	Leach,	Pierce,	
Blair,	W. Lewis,	Rice,	
Brotherson,	MacDonald,	Scott,	
Dunham,	Morse,	Sprague,	
Hazelton,	Ord,	Webster,	
Hollister,	Patterson,	Wing,	
Jones,			22

The question was then taken on the passage of the bill, and it was passed by a two-thirds vote as follows:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Palmer,
A. C. Baldwin,	Jones,	Patterson,
C. Baldwin,	Kennedy,	Peck,

Barbour,	Leland,	Pierce,	
Barrett,	Leach,	Rice,	
Blair,	T. Lewis,	Scott,	
Brotherson,	W. Lewis,	Sprague,	
Dunham,	McDonald,	Thomas,	
Edmunds,	Morse,	Webster,	
Hawley,	Ord,	Wing,	
Hazelton,			31

NAYS.

Mr. Andrews,	Mr. Glenn,	Mr. O'Malley,	
Cole,	Graham,	Toll,	
Cook,	Groves,	Speaker,	
Davis,	Hand,		11

On motion of Mr. Peck, the House adjourned.

Wednesday, April 1, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called and Messrs. Ransom, Sanborn, Sweeney and Ten Eyck were absent on leave.

The journal of yesterday was read and approved.

REPORTS.

Mr. Patterson, from the committee on ways and means, reported a "bill legalizing the returns of delinquent taxes by the collectors or treasurers of the second, third, fourth and fifth wards of the city of Detroit for the year 1845," which was read twice and ordered to be engrossed for a third reading.

Mr. Ames, from the committee on engrossment and enrollment, reported the bill as correctly engrossed, and the rule was suspended, and the bill read the third time and passed.

Mr. W. Lewis, from the committee on roads and bridges, reported back the Senate "bill to provide for improving the state road from Flint village to Ann Arbor, in the county of Washtenaw," without amendment, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Also reported certain petitions and remonstrances of citizens of

NAYS.

Mr. Cook, Mr. Hawley, Mr. Noble,
Graham, T. Lewis, Speaker, 6

The following message was received from the Senate:

SENATE CHAMBER,
March 30, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that the Senate insist upon their amendments to the "bill to amend the charter of the Cottonwood Swamp Turnpike company," and have appointed Senators Smith, Kibbee and Thurber, a committee of conference upon the disagreement between the two Houses upon said bill.

Also, to transmit "joint resolutions relative to Departments of Natural History of the University of Michigan," which the Senate have adopted and respectfully ask the concurrence of the House therein.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The "joint resolution relative to Departments of Natural History of the University of Michigan," was read twice and referred to the committee on education.

Mr. Hawley gave notice that on some future day he should ask leave to introduce a bill to change the name of a certain township.

On motion of Mr. Blair, the report of the committee of conference on the disagreement between the two Houses on title VI of the proposed revision, was taken from the table, and the report concurred in.

The House then resolved itself into committee of the whole on the general order, Mr. Groves in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A "bill to provide for improving the state road from Flint village to Ann Arbor in the county of Washtenaw;"

A "bill to amend an act relative to the registry of certain deeds, approved March 9, 1844;" and,

A "bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842."

The first named bill was ordered to be read the third time, and the two last named bills were ordered to be engrossed for a third reading.

On motion of Mr. Hazleton, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Patterson, a call of the House was ordered, and on calling the roll, Messrs. Hand, Noble, Ransom, Sanborn, Sweeny, Ten Eyck and Walker were absent on leave, and Messrs. Ames, Barbour, Davis, Dunham, Hazleton, Jones, Leland, Leach, Moran, O'Malley, Ord, Palmer, Peck, Rice and Scott were absent without leave.

Mr. Kennedy asked and obtained leave of absence for Mr. Wakeman for an indefinate period, on account of sickness.

Mr. A. C. Baldwin for Mr. Davis for the day.

On motion of Mr. T. Lewis, the sergeant-at-arms was despatched for the absentees.

On motion of Mr. Cook, several of the absentees having returned, all further proceedings under the call were dispensed with.

Mr. Andrews from the committee on education, by unanimous consent, reported back the Senate "joint resolution relative to the department of natural history in the University of Michigan," without amendment, and recommended its passage.

The report was accepted, and the joint resolution was referred to the committee of the whole.

The House resolved itself into committee of the whole, on the general order, Mr. Groves in the chair.

After a short time spent thereon, the committee rose, and through their chairman reported back to the House without amendment,

A "bill relative to proceedings against persons or incorporations usurping corporate powers, liberties or franchises, and incorporations guilty of misuser or non-user;" and

A 'joint resolution relative to departments of natural history of the university of Michigan;'

The bill was ordered to be engrossed and read the third time, and joint resolution was ordered to a third reading.

Mr. Brotherson, from the committee on engrossment and enrollment, reported the following bills as correctly engrossed, viz:

A 'bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842;'

A 'bill to amend an act relative to the registry of deeds, approved March 9, 1844;' and

A 'bill relative to proceedings against persons or incorporations usurping corporate powers, liberties or franchises, and incorporations guilty of misuser and non-user;'

On motion of Mr. A. C. Baldwin,

The rule was suspended to enable the foregoing bills to be put upon their passage, and the foregoing bills were severally read the third time and passed, viz:

A 'bill relative to proceedings against persons or incorporations usurping corporate powers, liberties or franchises, and incorporations guilty of misuser and non-user;'

A 'bill to amend an act entitled an act relative to the registry of certain deeds, approved March 9, 1844;'

A 'bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 17, 1842;'

A 'bill to provide for improving the state road from Flint village, to Ann Arbor, in the county of Washtenaw;' and

A 'joint resolution relative to departments of natural history of the university of Michigan.'

On motion of the Speaker,

(Mr. A. C. Baldwin in the chair,) title XVIII of the proposed revision, together with the following resolutions was taken from the table.

Resolved, That chapters seventy-eight and seventy-nine of title XVIII, of the proposed revision, be committed to a special committee with instructions to incorporate in said chapters the following provisions, viz:

First. The principles of the act entitled an act to provide for the equitable settlement of the estates of deceased persons, approved March 8, 1843, whereby the real estate of deceased persons is sold or set off in the payment of debts at its appraised cash value.

Second. Also a provision for the sale or set off of real estate on

execution, on all debts hereafter contracted at its appraised cash value.

Third. Also a provision for the exemption from execution on all judgments for debts hereafter contracted, of a certain amount of real estate, not exceeding forty acres.

Mr. Hand moved to amend the instructions by striking out the first sub-division and inserting the following: "First. The principles of the present statutes for the settlement of the estates of deceased persons, except as far the same may provide for partition and distribution of real estate." Which amendment was accepted by the Speaker, who moved the original resolutions of instructions.

Mr. Cook moved to amend the third sub-division by adding the words, not exceeding in value five hundred dollars," which amendment was accepted by the mover of the resolution.

On motion of Mr. Walker,

The following words were added to the end of the third subdivision:

'Also the stock of goods of any merchant not exceeding five hundred dollars in value, and the like value of lumber and shingles of any lumberman or shingle-weaver.

On motion of Mr. Webster,

The following was added to the third sub-division: 'Also to inquire into the expediency of exempting forty shares of copper stock from execution.'

On motion of Mr. Hand,

The following was added to the third sub-division:

"Also, all boats, nets and fishing tackle of fishermen, and cabs and drays of cabmon and draymen, to a like amount of five hundred dollars."

Mr. Rice moved to add the following to the instructions:

"Also, that any man having a certificate from a priest or minister, certifying that he belongs to a church, and is of good moral character, shall be entitled to forty acres of state lands," which motion was lost by the following vote:

YEAS.

Mr. Hand,	Mr. Ord,	Mr. Rice,	
Moran,	Pierce,	Toll,	
O'Malley,			7

NAYS.

Mr. Ames,	Mr Graham,	Mr. Noble
Andrews,	Groves,	Palmer,

A. C. Baldwin,	Hawley	Parsons,	
C. Baldwin,	Hazleton	Patterson,	
Barbour,	Hollister,	Peck,	
Barrett,	Jones,	Scott,	
Blair,	Kennedy,	Sprague	
Brotherson,	Leland,	Thomas,	
Chubb,	Leach,	Walker,	
Cook,	W. Lewis,	Webster,	
Edmunds,	McDonald,	Wing,	
Giddings,	Morse,	Speaker,	
Glen,			37

On motion of Mr. Walker,

The third sub-division was stricken out.

Mr. Glen moved to amend the second sub-division, by inserting "two-thirds" between the words "its" and "appraised," which motion was lost.

On motion of Mr. Walker,

The second sub-division was stricken out by yeas and nays as follows:

YEAS.

Mr Ames,	Mr. Hazleton,	Mr. Parsons,	
A C Baldwin,	Hollister,	Patterson,	
Barrett,	Jones,	Peck,	
Blair,	Leland,	Pierce,	
Brotherson,	Leach	Rice,	
Chubb,	T. Lewis,	Scott,	
Edmunds,	W. Lewis,	Thomas,	
Giddings,	McDonald,	Walker,	
Graham,	O'Malley,	Webster,	
Hand,			28

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. Noble,	
C. Baldwin,	Hawley,	Palmer,	
Barbour	Kennedy,	Sprague,	
Cook,	Moran,	Wing,	
Glen,	Morse,	Speaker,	15

Mr. Cook moved to amend the instructions by adding the following:

"Also, a provision for the exemption from execution on all debts hereafter contracted, real estate to the value of five hundred dollars."

Mr. Edmunds moved to amend the amendment, by inserting between the words 'real' and 'estate' the words 'or personal,' which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Glen,	Mr. Ord,	
Andrews,	Graham,	Palmer,	

Barrett,	Hand,	Parsons,	
Blair,	Jones,	Peck,	
Brotherson,	Leland	Pierce,	
Chubb,	Leach,	Rice,	
Edmunds,	Moran,	Walker,	
Giddings,	O'Mally,	Webster,	24

NAYS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Scott,	
C. Baldwin,	McDonald	Sprague,	
Barbour,	Morse,	Thomas	
Cook,	Noble,	Wing,	
Hawley,	Patterson,	Speaker,	
Hazleton,			16

The question then recurring on the amendment, it was lost by yeas and nays as follows:

YEAS.

Mr. Barbour,	Mr. Edmunds,	Mr. Morse,	
Blair,	Groves,	O'Malley,	
Chubb,	Kennedy,	Palmer,	
Cook,	Moran,	Speaker,	12

NAXS.

Mr. Ames,	Mr. Hazleton,	Mr. Patterson,	
Andrews,	Jones,	Peck,	
A C Baldwin,	Leland,	Pierce,	
C Baldwin,	Leach,	Rice,	
Barrett,	T. Lewis,	Scott,	
Brotherson,	W. Lewis,	Sprague,	
Giddings,	McDonald,	Thomas,	
Glen,	Noble,	Walker,	
Graham,	Ord,	Webster,	
Hand,	Parsons,	Wing,	
Hawley,			21

On motion of Mr. Webster,

The words "the following, viz: First," was striken out of the resolution, and it was then adopted by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Parsons,	
Andrews,	Hazleton,	Patterson,	
C. Baldwin,	Hollister,	Peck,	
Barbour,	Jones,	Pierce,	
Blair,	Leland,	Rice,	
Chubb,	Leach,	Sprague,	
Edmunds,	T. Lewis,	Thomas,	
Giddings,	W. Lewis,	Walker,	
Glen,	Moran,	Webster,	

Graham,	O'Malley,	Speaker,	
Groves,	Palmer,		32

NAYS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Ord,	
Barrett,	McDonald,	Scott,	
Brotherson,	Morse,	Wing,	
Hawley,	Noble,		11

The Speaker appointed as the select committee, under the resolution Messrs: Hand, Hazelton, and Cook.

On motion of Mr. Peck, the House adjourned.

Thursday, April 2, 1846.

The House met pursuant to adjournment and was called to order the Speaker.

Prayer by Rev. Mr. Inglis.

The roll was called and Messrs. Cole, Ransom, Sanborn, Scott, Sweeney, Ten Eyck and Wakeman were absent on leave, and Messrs Chubb, Dunham and Ord were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Pierce, of James Kelley, a contractor on the Central rail road: referred to the committee on claims.

By Mr. Jones, of George W. Gibbs, and thirty-six other inhabitants of Ingham county, for authority for re-assessing certain taxes in the township of Stockbridge; referred to the committee on ways and means.

REPORTS.

Mr. Noble, from the committee on the judiciary, reported back the Senate "bill to provide for the re-assessment and collection of a specific state tax from the Farmers' and Mechanics' Bank of Michigan" and recommended its reference to the committee on ways and means.

On motion of Mr. Patterson,

The bill was referred to the committee of the whole.

Mr. Andrews, from the committee on education, reported back the "bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district," with an amendment, and recommended its passage.

The report was accepted, and the bill and amendment referred to the committee of the whole.

Mr. Walker, from the select committee on the sale of the public works, made the following report, which was accepted, and referred to the committee of the whole.

The select committee upon the sale of the public works have instructed me to report:

That they have had under consideration a proposition submitted to them by Daniel D. Sinclair, as agent of Ira Bidwell and others, for the purchase of the Southern Railroad, the Palmyra and Jacksonburg Railroad, and the right of connecting both of said Railroads with the Erie and Kalamazoo Railroad, leading from Adrian to Toledo. The said agent submitted the accompanying proposition in writing, and also explained more fully to your committee by oral communication, the views and wishes of those he represents. The proposition as thus explained, contemplates the revival of the Palmyra and Jacksonburgh Railroad charter in effect, and also the renewal of the charter of the Erie and Kalamazoo Railroad, with the privilege of making the connection aforesaid, and thus diverting the travel and commerce of a large part of the southern portion of this state from the present eastern terminus of the Southern Railroad within our own borders to the city of Toledo, in the state of Ohio, and also, the right to diverge the said Railroad from the village of Hillsdale to the state of Indiana.

Your committee are of opinion that this state should not so far disregard the interests of any portion of its own citizens as to grant such extraordinary privileges, unless for the most weighty reasons. And what is the compensation offered us for thus fostering the interests of Indiana and Ohio at the expense of the citizens of our own state? The sum of five hundred and fifty thousand dollars, or only the paltry pittance of fifty thousand dollars more than the sum already offered by J. J. Godfroy and others, named in the bill heretofore reported by your committee, and that, without any of the extraordinary powers and privileges above enumerated—a difference of less than a tenth part of the depreciation in the value of individual property that would be caused in this state by the passage of the act proposed, while property in a neighboring state would be correspondingly enhanced in value thereby.

Your committee would also communicate the fact, that they inquired of said agent (who professed to be acting under a general authority at his own discretion,) what sum he felt authorized to offer for the Southern Railroad, including the Tecumseh branch, with only the same rights and privileges in connection therewith, as are specified in the bill heretofore reported by us, and that he declined to make any offer at all upon those conditions.

Your committee therefore, are of opinion from the considerations above alluded to, as well as many others that might be adduced, that the proposition of Messrs. Bidwell and others, is far less favorable to the state than that heretofore reported by us, and would respectfully report, that in their opinion, it ought not to be entertained by this House, and that they have leave to withdraw the same.

Mr. Hawley, pursuant to previous notice, asked and obtained leave to introduce a 'bill to change the name of a certain township,' which was read twice and referred to the committee on the organization of townships and counties.

Mr. Hazleton gave notice that on some future day he should ask leave to introduce the following resolution:

Resolved, By the Senate and House of Representatives of the state of Michigan, that this legislature will adjourn *sine die*, on Wednesday, the fifteenth day of April inst., at twelve o'clock at noon.

Mr. Leland gave the same notice.

On motion of Mr. Scott,

The 'joint resolution relative to a certain sum of money stolen from the treasurer's office in Shiawassee county,' was taken from the table, and ordered to a third reading by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Jones,	Mr. Peck,
C. Baldwin,	Kennedy,	Rice,
Barbour,	Leland,	Scott,
Barrett,	Leach,	Sprague,
Brotherson,	W. Lewis,	Wk er,
Chubb,	Moran,	Webster,
Davis,	Morse,	Wing,
Hazelton,	Noble,	Speaker,
Hollister,	Palmer,	26

NAYS.

Mr. Ames,	Mr. Glen,	Mr. T. Lewis,

Blair,	Graham,	Parsons,	
Cook,	Groves,	Patterson,	
Edmunds,	Hand,	Pierce,	
Giddings,	Hawley,	Toll,	15

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, title XXI of the proposed revision, and by unanimous consent, the title was read the third time.

The House then went into committee of the whole on the general order, Mr. Groves in the chair.

After some time spent thereon, the committee rose, and through their chairman reported that they had had under consideration a 'bill to authorize the sale of the SouthernRailroad, and to incorporate the Michigan Southern Railroad company,' on which they had made some progress, and asked and obtained leave to sit again.

On motion of Mr. Peck,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Hazleton moved to discharge the committee of the whole from the consideration of the report submitted this morning from the select committee on the sale of the public works, which motion was lost.

On motion of Mr. Patterson,

The House resolved itself into committee of the whole, on the "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad company," Mr. Groves in the chair.

After some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Hand, the House adjourned.

Friday, April 3, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. Cole, Ransom, Sanborn, Sweeney, Ten Eyck and Wakeman, were absent on leave, and Messrs. Chubb, Leach, O'Malley, Rice, Scott, Webster, and Wing were absent without leave.

Mr. Peck asked and obtained leave of absence for Mr. Wing till Wednesday next.

Mr. Davis for Messrs. Thomas and Webster till Tuesday next.

Mr. Hollister for Mr. Leach for the same time.

Mr. A. C. Baldwin for Messrs. C. Baldwin, Barrett and Davis, for the same time.

Mr. Walker for Mr. Kennedy, for an indefinite time on account of sickness.

The journal of yesterday was read and approved.

Mr. Hazelton presented the remonstrance of George M. Dewey and others, against the passage of an act authorizing the assessment of a tax for the erection of a school house in the township of Flint, Genesee county; laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 2, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to provide for paying the assistant librarian and the private secretary of the Governor;"

A "bill legalizing the returns of delinquent taxes by the collectors or treasurers of the second, third, fourth and fifth wards of the city of Detroit for the year 1845," and to respectfully inform you that the Senate have passed the same.

Also to transmit a "bill to authorize Mary Vail and Ellen Vail to convey certain real estate," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,
J. E. PLATT,
Sec'y of Senate.

The "bill to provide for paying the assistant librarian and the private secretary of the Governor," and

The "bill legalizing the returns of delinquent taxes by the collect-

ors or treasurers of the second, third, fourth and fifth wards of the city of Detroit," were ordered to be enrolled.

The "bill to authorize Mary Vail and Ellen Vail to convey certain real estate," was read twice and referred to the committee on the judiciary.

On motion of Mr. Hazelton,

The committee of the whole were discharged from the "bill to authorize the electors of school district No. 1, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a schoo house in said district."

Mr. Andrews offered the following resolution, which,

On motion of Mr. Peck,

Was laid on the table:

Resolved, That from and after the tenth instant, no more reports from standing or select committees, except such as may relate to the proposed revision of the laws, nor any new matter of any kind be received for action by this House.

On motion of Mr. Patterson,

The committee of the whole were discharged from the further consideration of the "bill to provide for the assessment and collection of a specific state tax from the Farmers' and Mechanics' Bank of Michigan."

Mr. Pierce, pursuant to previous notice, asked and obtained leave to introduce a "bill to authorize George W. Topping and Samuel D. Topping, minors, to convey certain real estate," which was read twice and referred to the committee of the whole.

Mr. Hazleton, pursuant to previous notice, asked and obtained leave to introduce a joint resolution fixing the day of adjournment, which was read twice, and

On motion of Mr. Hand, laid on the table.

The "joint resolution relative to money stolen from the treasurer of Shiawassee county," was read the third time and passed by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Jones,	Mr. Palmer,
C. Baldwin,	Kennedy,	Peck,
Barbour,	W. Lewis,	Scott,
Barrett,	McDonald,	Sprague,
Brotherson,	Moran,	Thomas,

Dunham,	Morse,	Walker,	
Hazelton,	Noble,	Speaker,	
Hollister,	O'Malley,		23

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Ord,	
Cook,	Groves,	Parsons,	
Edmunds,	Hand,	Pierce,	
Giddings,	Leland,	Toll,	
Glen,	T. Lewis,		14

UNFINISHED BUSINESS.

The "bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district," was ordered to be engrossed and read the third time.

The "bill to provide for the assessment and collection of a specific state tax from the Farmers' and Mechanics' Bank of Michigan," was ordered to a third reading, read the third time and passed.

Mr. Ames, from the committee on engrossment and enrollment, reported the following bills as correctly enrolled, and that the same were this day presented to the Governor for his approval, viz.

A "bill for the relief of Peter Godfroy;"

A "bill to repeal a part of an act entitled an act to authorize the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843;"

A "bill to provide for the laying out of certain roads;"

A "bill legalizing the return of delinquent taxes by the collectors or treasurers of the second, third, fourth and fifth wards of the city of Detroit, for the year 1845;"

A "bill to provide for paying the assistant librarian and private secretary of the Governor;"

A "bill to attach sections thirty-one, thirty-two and thirty-three, and the south half of section thirty, of town eight, north of range two west, in Clinton county, to the township of Bingham, in said county, and for other purposes;" and

A "bill to authorize Amos Brownson and Elisha Doan, to erect a dam across the St. Joseph river, in the county of St. Joseph."

Mr. O'Malley asked and obtained leave of absence for Messrs. A. C. Baldwin and Hazleton, for the forenoon.

The House then resolved itself into committee of the whole, on

the "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company," Mr. Groves in the chair.

After some time spent thereon, the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Hand, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Hawley, from the committee on banks and incorporations, by unanimous consent, submitted the following report, which was accepted:

The committee on banks and incorporations, to whom was referred the petition of John Binney and one hundred and thirty others, citizens of Lenawee county, for a charter of incorporation for the Woodstock Manuel Labor School for the education of colored youth, have had the same under consideration, and report the same back accompanied with a bill, and recommend its passage.

The object of the petitioners is that of education—a most praiseworthy object, and always to be encouraged by the Legislature, but more especially is it their object to extend the benefits flowing from knowledge to that debased and abused portion of our (I had almost said fellow-citizens, but that term is denied me,) race, the colored people, is the spirit of awakening philanthropy which seeks to raise Africa's sooty sons in the scale of being—to extend to them the blessings of enlightened minds—to remove the mists of ignorance which enshrouds their mental vision in moral darkness, that the light of science and truth may pour into their benighted minds their ineffable beauties—to open up to them nature's vast domain—teaching them duties to be performed—rights to be maintained, and happiness to be secured, and filling their vacant souls with hopes to sustain them in their melancholy way through life.

'Tis the spirit of enlightened policy to teach duty before obedience is required—to remove the consciousness of unworthiness and its cause, that a feeling of debasement and despair may not drive them into ruin—to secure self-respect to all our citizens that thus they may

have something to loose by violation of moral and civil obligations. The committee trust that objects so desirable, will meet with a candid and favorable consideration of this House.

The "bill to incorporate the Woodstock Manual Labor School," was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Hawley, by unanimous consent, offered the following resolution:

"*Resolved*, That when the House adjourn, it will adjourn till Tuesday morning next, at nine o'clock," which resolution was adopted by the following vote:

YEAS.

Mr. C Baldwin,	Mr. Hawley,	Mr. Morse,	
Barbour,	Hazleton,	O'Malley,	
Blair,	Jones,	Ord,	
Cook,	Kennedy,	Palmer,	
Dunham,	T. Lewis,	Patterson,	
Graham,	W. Lewis,	Rice,	
Hand,	Moran,	Scott,	21

NAYS.

Mr. Andrews,	Mr. Leland,	Mr. Pierce,	
Rrotherson,	McDonald,	Sprague,	
Edmunds,	Noble,	Toll,	
Giddings,	Parsons,	Walker,	
Glen,	Peck,	Speaker,	
Groves,			16

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly engrossed, a "bill to authorize the electors of school district No. 1, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district."

By unanimous consent, the following petitions were presented:

By Mr. Rice, of A. Allen and others, to vacate a portion of the village plat of the village of Medina, in the county of Lenawee; referred to a select committee, consisting of Messrs. Rice, Sprague and Graham.

By Mr. Hand, of E. Smith Lee, for the passage of a law legalizing certain acts; referred to the committee on the judiciary.

Also, of George W. Tucker and sixty-four other colored inhabitants of this state, for the extension of the right of suffrage; same reference.

Also, of S. W. Dexter and others, for an amendment of the license laws; same reference.

On motion of Mr. Hazleton,

Resolved, That the sergeant-at-arms, under the direction of the committee on supplies and expenditures, cause to be procured such assistance as he may deem necessary to aid the fireman in effecting a thorough cleansing of this hall.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole on the "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company," Mr. Groves in the chair.

After some time spent thereon the committee rose, and through their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

The amendments were severally concurred in.

On motion of Mr. Walker,

The following words were inserted after the word 'kind,' in the twenty-first line of section two: 'And said company shall within six months from the time when this act shall take effect and be in force, purchase and place on said road, additional locomotives and cars of the value of twenty thousand dollars.'

Mr. Toll moved to add the following proviso to section fourteen, which motion was lost: 'Provided further, that such surplus shall be expended in building and completing said Railroad west of Hillsdale.'

Mr. Jones moved to amend the sixth line of section two, by striking out the word 'five' before 'hundred,' and insert 'six,' and a division being called for, it was first taken on striking out, and lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Hazleton,	Mr. Parsons,	
C. Baldwin,	Jones,	Pierce,	
Edmunds,	Leland,	Rice,	
Glen,	Palmer,		11

NAYS.

Mr. A. C. Baldwin,	Mr. W. Lewis,	Mr. Scott,	
Barbour	Noble,	Sprague,	
Dunham,	O'Malley,	Toll,	
Hand,	Ord,	Walker,	
51			

Hawley, Patterson, Speaker,
Hollister, Peck, 17

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Noble, the bill was made the special order for Thursday next.

Mr. Brotherson, from the committee on engrossment and enrollment, reported the "bill to establish the village of Dundee," as correctly enrolled, and that the same was this day presented to the Governor for his approval.

Mr. Dunham asked and obtained leave of absence for Mr. Scott for an indefinite period.

Mr. Noble for Mr. Jones for the same time.

Mr. Hand for Mr. Barbour for the same time.

Mr. Groves for Mr. Hazleton for the same time, and for Mr. Pierce until Thursday next.

Mr. A. C. Baldwin for Mr. Peck till Wednesday.

Mr. C. Baldwin for Mr. Patterson for the same time.

Mr. Patterson, from the committee on ways and means, by unanimous consent, reported a bill to change the time for the collection of taxes in the county of Chippewa, and for other purposes, which was read twice, referred to the committee of the whole, and ordered to be printed.

On motion of Mr. O'Malley, the House adjourned.

Tuesday, April 7, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called and Messrs. C. Baldwin, Barbour, Barrett, Cole, Cook, Davis, Hazelton, Kennedy, Leach, Moran, Noble, Patterson, Peck, Pierce, Ransom, Rice, Ten Eyck, Wakeman, Webster and Wing, were absent on leave, and Messrs. Ames, Brotherson, Chubb, Dunham, Giddings, Graham, Leland, T. Lewis, McDonald, Morse, Ord and Parsons, were absent without leave.

The journal of Friday was read and approved.

The Speaker announced that there was no quorum present; and

On motion of Mr. Walker,

The House adjourned till to-morrow morning, at 9 o'clock.

Wednesday, April 8, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called and Messrs. A. C. Baldwin, Cole, Cook, Hazelton, Kennedy, Noble, Patterson, Ransom, Rice, Scott, TenEyck and Wakeman, were absent on leave, and Messrs. Ames, Barbour, Barrett, Davis, Dunham, Giddings, Graham, Leland, Leach, O'Malley, and Parsons were absent without leave.

The journal of yesterday was read and approved.

Mr. Glen asked and obtained leave of absence for Mr. A. C. Baldwin for an indefinite period.

Mr. Sanborn presented the petition of M. Y. Terrill, for the allowance of a claim against the state; referred to the committee on claims.

Mr. W. Lewis, from the committee on roads and bridges, reported a 'bill to establish a state road from the village of Almont, in the county of Lapeer, to the village of Port Huron, in the county of St. Clair,' and a 'bill to authorize the re-survey of the territorial road from the village of Lapeer, to the village of Rochester,' which bills were severally read twice and referred to the committee of the whole.

Mr. Sanborn from the select committee to whom was referred the 'bill to re-attach certain townships to the county of Lapeer,' reported the same back without amendment, and recommended its passage, and

On motion of Mr. Groves,

The bill was laid on the table.

Mr. Walker, pursuant to previous notice, asked and obtained leave to introduce a 'bill to regulate the construction of mill dams and mill races,' which was read twice, referred to the committee of the whole, and ordered to be printed.

On motion of Mr. Hand,

Resolved, That chapter seventy-seven, title XVIII of the proposed

revision, be referred to the select committee to whom was referred chapters seventy-eight and seventy-nine of the same title, with instructions to incorporate in the same the principles of existing statutes touching the sale of real estate, in settlement of estates of deceased persons, except wherein the same provides for partition and distribution of real estate to creditors.

Mr. Edmunds gave notice that on some future day he should ask leave to introduce a joint resolution for the relief of Wendell Buck.

On motion of Mr. Hand,

The 'bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district,' was laid on the table.

The House resolved itself into committee of the whole, on the general order, Mr. Hand in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back without amendment,

A 'bill to change the time for the collection of taxes, in the county of Chippewa, and for other purposes;'

A 'bill to authorize the re-survey of the territorial road from the village of Lapeer, to the village of Rochester;' and,

A 'bill to authorize George W. Topping and Samuel D. Topping, minors, to convey certain real estate.'

Also reported back with sundry amendments, in which the concurrence of the House was asked,

A 'bill to incorporate the Woodstock manual labor school;' and

A "bill to establish a state road from the village of Almont, in the county of Lapeer, to Port Huron, in St. Clair county."

The first and third amendments to the "bill to incorporate the Woodstock Manual Labor School," were concurred in, and the second amendment was non-concurred in.

The bill was then ordered to be engrossed for a third reading.

The amendment to the "bill to establish a state road from the village of Almont, in the county of Lapeer, to the village of Port Huron, in St. Clair county," was concurred in.

On motion of Mr. Walker,

The bill was amended by striking out section two, and inserting "no expense for laying out or establishing said road shall be paid out of the state treasury."

The bill was then ordered to be engrossed for a third reading.

On motion of Mr. Walker,

The "bill to authorize the re-survey of the territorial road from the village of Lapeer to the village of Rochester," was amended by striking out the fifth section, and inserting "no expense of re-surveying or establishing said road shall be paid out of the state treasury," and the bill was then ordered to be engrossed for a third reading.

On motion of Mr. Walker,

The "bill to authorize George W. Topping, and Samuel D. Topping, minors, to convey certain real estate," was laid on the table.

The "bill to change the time for the collection of taxes in the county of Chippewa and for other purposes," was ordered to be engrossed for a third reading.

Mr. Scott, from the committee on roads and bridges, by unanimous consent, reported a "bill to provide for establishing and improving a certain road leading from the town of Essex to Dewitt, in Clinton county," which was read twice and referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 3, 1846.

To the Speaker of the House of Representatives:

SIR.—I am instructed by the Senate to return the "bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and re-locate a portion of the Clinton road," and to respectfully inform you that the Senate have passed the same.

Also to transmit a "bill to provide for the determination of claims against the state for injuries to animals and other property occasioned by the running of cars and locomotives upon the Central and Southern Railroads;" and

A "bill to change the name of Churchtown, in the county of Kent," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,
J. E. PLATT,
Sec'y of Senate.

The "bill to authorize the commissioner of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road," was ordered to be enrolled.

The "bill to provide for the determination of claims against the state for injuries to animals and other property occasioned by the running of cars and locomotives on the Central and Southern Railroads;" and

The "bill to change the name of Churchtown, in the county of Kent," were severally read twice and referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER,
April 8, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return titles XIII, XIV, XV, XVI and XX, of the revision, which the Senate have passed to a third reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The first, second and third Senate amendments to titles XIII, XIV, and XV were severally concurred in by the House.

On motion of Mr. Walker,

The fourth Senate amendment was amended by adding thereto the words "and after her decease."

On motion of Mr. Hand,

The word "wife" was stricken out of the Senate amendment, and "widow" inserted.

On motion of Mr. Walker,

The words "nor widow," were inserted after the word "issue" in the ninth, twelfth and fourteenth lines of section one in chapter sixty-seven.

The fourth Senate amendment, as amended, was then concurred in.

The fifth, sixth and seventh Senate amendments were severally non-concurred in, and the eighth and ninth amendments were severally concurred in.

Titles XIII, XIV and XV were then concurred in as amended.

The first Senate amendment to title XVI was non-concurred in, and the second and third amendments were severally concurred in.

Title XVI as amended was then concurred in.

The first, second and third Senate amendments to title XX were severally concurred in.

On motion of Mr. Hand,

The fourth Senate amendment was amended by striking out the word "hereafter" in the fourth line, and inserting "thereafter," and also by striking out the words "covert age," in the twelfth and thirteenth lines, and inserting "coverture," and also by striking out the last section of the amendment.

Mr. Toll moved to further amend the amendment, by striking out the words "the judge of probate" in the fourteenth line, which motion was lost.

And the Senate amendment as amended was concurred in.

Title XX as amended, was then concurred in.

On motion of Mr. Hand,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses, on titles XIII, XIV, XV, XVI and XX of the proposed revision.

The Speaker appointed as such committee, Messrs. Hand, Walker and Groves.

On motion of Mr. Groves, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Groves by unanimous consent, asked and obtained leave to introduce a 'bill concerning returns of delinquent taxes of 1845, for the county of Berrien,' which was read twice, and ordered to be engrossed and read the third time.

Mr. Ames from the committee on engrossment and enrollment, reported the bill as correctly engrossed; and,

On motion of Mr. Groves,

The rule was suspended, and the bill read the third time and passed.

The House went into committee of the whole, upon the general order, Mr. Peck in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House without amendment,

A "bill to provide for the determination of claims against the state for injuries to animals and other property, occasioned by the running of cars and locomotives upon the Central and Southern Rail-roads."

Also reported back with sundry amendments, in which the concurrence of the House was asked, a 'bill to change the name of Churchtown, in the county of Kent.'

The first amendment made to the 'bill to change the name of Churchtown, in the county of Kent,' by the committee of the whole, was non-concurred in; and,

On motion of Mr. Peck,

The second amendment was amended by striking therefrom the word "Hawley," and inserting "Dudley," and the amendment, as amended, was then concurred in, and

The bill was ordered to a third reading.

The "bill to provide for the determination of claims against the state for injuries to animals and other property, occasioned by the running of cars and locomotives upon the Central and Southern rail-roads,' was ordered to a third reading.

Mr. Peck, from the committee on federal relations, by unanimous consent, reported back to the House without amendment, the Senate "bill declaratory of the interests of the state of Michigan in mines and minerals," and the Senate "joint resolutions relative to the leasing of mineral lands within the state of Michigan," and recommended their passage.

The bill and joint resolutions were referred to the committee of the whole.

The House then went into committee of the whole upon the general order, Mr. Toll in the chair.

And after some time spent thereon, the committee rose, and through their chairman reported back the "joint resolution relative to the leasing of mineral lands within the state of Michigan," with sundry amendments, in which the concurrence of the House was asked.

The amendments made by the committee of the whole were severally concurred in.

On motion of Mr. Walker,

The second resolution was stricken out.

The joint resolutions were then ordered to a third reading.

Mr. Ames, from the committee on engrossment and enrollment, reported the following bills as correctly engrossed, viz:

A "bill to establish a state road from the village of Almont, in the county of Lapeer, to the village of Port Huron, in the county of St. Clair;"

A "bill to incorporate the Woodstock Manual Labor School;"

A "bill to change the time for the collection of taxes in the county of Chippewa, and for other purposes;"

A "bill to authorize the re-survey of the territorial road from the village of Lapeer to the village of Rochester;" and

A "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company."

On motion of Mr. Moran, the House adjourned.

Thursday, April 9, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Cole, Cook, Hazleton, Ransom, Rice, Scott and Ten Eyck were absent on leave, and Messrs. Ames, Giddings and Graham were absent without leave.

The journal of yesterday was read and approved.

PETITIONS PRESENTED.

By Mr. Andrews, of citizens of Van Buren county, for an alteration of the law relative to wolf bounties: referred to the committee on agriculture.

By Mr. Moran, of citizens of Hamtramck, for the passage of a law to provide for the draining of a certain marsh; referred to the committee on the judiciary.

Also, of citizens of Hamtramck, for the passage of a law allowing the polls to be opened at two places in said township on the day of election; same reference.

By Mr. Pierce, three several remonstrnces of citizens of Washte-

naw county, against the passage of a law authorizing the flowing of lands by mill dams; referred to the committee of the whole.

Mr. Hand, from the select committee to whom was referred chapters seventy-seven, seventy-eight and seventy-nine, of the proposed revision, with instructions, reported the same back with amendments, and the chapters and amendments were referred to the committee of the whole.

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Detroit, Appil 7, 1846.

To the House of Representatives,

I have this day approved, signed and deposited in the office of the secretary of state, "an act to provide for the laying out of certain roads;"

Also, "an act to repeal part of an act entitled an act authorizing the construction of a wagon road on the line of the Northern Railroad, approved March 9, 1843;"

Also, "an act to provide for paying the assistant librarian and the private secretary of the Governor;"

Also, "an act legalizing the returns of delinquent taxes by the collectors or treasurers of the second, third, fourth and fifth wards of the city of Detroit for the year 1845;"

Also, "an act to attach the south half of section thirty, and sections thirty-one, thirty-two and thirty-three, in town eight north, range two west, in the county of Clinton, to the township of Bingham, in said county, and for other purposes;"

Also, "an act to authorize Amos Bronson and Elisha Doan to erect a dam across the St. Joseph river, in the county of St. Joseph;"

Also, "an act for the relief of Peter Godfroy."

ALPHEUS FELCH.

The following communication was received from the Senate:

SENATE CHAMBER,
Detroit, April 8, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill concerning returns of delinquent taxes of 1845, for the county of Berrien," and to respectfully inform you that the Senate have passed the same.

Also, to respectfully inform you that the Senate insist upon their

fifth amendment to titles XIII, XIV and XV, of the revision, have receded from their sixth and sevents amendments, and have concurred in the House amendments to the fourth Senate amendment thereto.

Also, to inform you that the Senate have receded from their first amendment to title XVI of the revision, and have ordered the title as amended to be enrolled.

Also, to inform you that the Senate have concurred in the first House amendment to the fourth Senate amendment to title XX of the revision, with an amendment in which the concurrence of the House is respectfully asked, and that the Senate have concurred in the second House amendment to the fourth Senate amendment to said title. Also, to respectfully inform you that Senators Fenton, Littlejohn and Coe have been appointed a committee of conference on the part of the Senate on the disagreement between the two houses upon the above titles.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The "bill concerning returns of delinquent taxes of 1845, for the county of Berrien," was ordered to be enrolled.

Mr. O'Malley gave notice that on some future day he should ask leave to introduce a 'bill to authorize Sandy McLeod to build a dam across Sheboygan river, in the county of Michilimackinac.'

Mr. Edmunds, pursuant to previous notice, asked and obtained leave to introduce a 'joint resolution for the relief of Wendell Buck,, which was read twice and referred to the committee of the whole.

THIRD READING OF BILLS.

The following bills were severally read the third time and passed;

A 'bill to change the name of Churchtown, in the county of Kent;' and, the question being on the title,

On motion of Mr. Walker,

It was amended by substituting the words "a bill to change the name of certain townships."

A 'bill to provide for the determination of claims against the state, for injuries to animals and other property, occasioned by the running of cars and locomotives upon the Central and Southern railroads;'

A 'joint resolution relative to the leasing of mineral land within the state of Michigan;'

A 'bill to change the time for the collection of taxes in the county of Chippewa, and for other purposes;'

A 'bill to establish a state road from the village of Almont, in the county of Lapeer, to the village of Port Huron, in the county of St. Clair;' and,

A 'bill to authorize the re-survey of the territorial road from the village of Lapeer to the village of Rochester.'

The 'bill to incorporate the Woodstock manual labor school,' was read the third time, and,

On motion of Mr. Hawley, laid on the table.

The 'bill to authorize the sale of the Southern rail-road, and to incorporate the Michigan Southern rail-road company,' was,

On motion of Mr. Walker, laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Hand in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back without amendment, a "bill to regulate the construction of mill-dams and mill-races.

Also, reported back, with sundry amendments, in which the concurrence of the House was asked, a "bill declaratory of the interests of the state of Michigan in mines and minerals."

On motion of Mr. Walker,

The "bill to regulate the construction of mill dams and mill races," was committed to the judiciary committee.

On motion of Mr. Toll, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The 'bill declaratory of the interests of the state of Michigan in mines and minerals,' was taken up, and the first and fifth amendments made in committee of the whole, were severally non-concurred in, and the remainder of the amendments were severally concurred in.

On motion of Mr. Peck,

The word 'four' was stricken out of the first line of section four, and 'two' inserted.

The bill was then ordered to a third reading.

On motion of Mr. Hand,

The House then went into committee of the whole upon the general order, Mr. McDonald in the chair.

After some time spent thereon, the committee rose, and thghrou their chairman, reported that they had had under consideration title XVIII of the proposed revision, to which they had made sundry amendments in which the concurrence of the House was asked.

The amendments were concurred in, and the title ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment reported the title as correctly engrossed, and it was read the third time.

The House then went into committee of the whole upon the general order, Mr. Chubb in the chair.

After some time spent thereon, the committee rose and reported.

The following communication was announced from the Governor:

EXECUTIVE OFFICE,
Detroit, April 9, 1846.

To the Senate and

House of Representatives:

The Senate House of Representatives are hereby respectfully informed that I am prepared to submit a nomination for Acting Commissioner of Internal Improvement, and such other nominations as require the action of both branches of the Legislature in joint convention, whenever it shall suit their convenience to receive the same

ALPHEUS FELCH.

On motion of Mr. Hand,

Resolved, That a committee of three be appointed to wait on the Senate and inform that body that the House will be ready to meet them in joint convention to-morrow at eleven o'clock A. M., or at such other time as the Senate may be pleased to appoint, for the purpose of acting upon any nominations that the Governor may be pleased to make to such convention in pursuance of an Executive message to the House this day communicated.

The Speaker appointed as such committee, Messrs. Hand, Walker and Sanborn.

The following communication was announced:

SENATE CHAMBER, April 9, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the "bill to change the name of Churchtown, in the county of Kent," and to respectfully inform you that the Senate have non-concurred in the House amendment thereto.

Also, to respectfully inform you that the Senate have concurred in the House amendments to the "joint resolution relative to the leasing of mineral lands within the state of Michigan," and have ordered the resolution as amended, to be enrolled.

Also to respectfully inform you that the Senate have concurred in the report of the committee of conference upon titles XIII, XIV, XV and XX.

Your obedient servant,

JAMES E. PLATT,

Secretary of Senate.

On motion of Mr. Hawley,

The House insisted on their amendment to the "bill to change the name of Churchtown."

The report of the committee of conference on titles XIII, XIV, XV and XX, and the titles were ordered to be enrolled.

On motion of Mr. Ord, the House adjourned.

Friday, April 10, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called and Messrs. A. C. Baldwin, Cole, Cook, Hand, Ransom and Ten Eyck, were absent on leave, and Messrs. Ames, Giddings, Graham and T. Lewis, were absent without leave.

The journal of yesterday was read and approved.

Mr. C. Baldwin asked and obtained leave of absence for Mr. Morse for an indefinite time, on account of sickness in his family.

Mr. W. Lewis for Mr. Giddings for the same time, and for the same reason.

Mr. Chubb presented the petition of one hundred and thirty citizens of Ann Arbor, residing south of the Railroad, asking that the proposed charter of said village be so modified as not to include any territory north of the Railroad; laid on the table.

Mr. Wing, from the committee on agriculture and manufactures, to whom was referred petitions from citizens of Van Buren county, asking an alteration of the law relative to wolf bounties, reported adverse to the prayer of the petition, which report was accepted.

Also, reported a "bill to repeal an act to provide for the draining of swamps, marshes and low lands, approved April 18, 1839," which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Hand, from the select committee yesterday appointed to inform the Senate that the House would be ready to meet them to-day at eleven o'clock, A. M., in joint convention to act on such nominations as the Governor should then submit, reported that the committee had discharged the duty imposed upon them.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Davis gave notice that on some future day he should ask leave to introduce a bill for the relief of William McDermott.

On motion of Mr. Chubb,

The "bill to amend the charter of the village of Ann Arbor," together with the petitions relative to that subject, were taken from the table and referred to a select committee consisting of Messrs. Chubb, Patterson and Barrett.

On motion of Mr. Hazelton,

The 'bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district' was taken from the table, and by unanimous consent, the words "present at a special meeting," were inserted after the word 'one' in the second line of section two.

On motion of Mr. Toll,

The "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company," was taken from the table.

On motion of Mr. Hazleton,

The twenty-seventh and forty-third rules of the House were suspended.

On motion of Mr. Walker,

The vote was reconsidered by which the bill was ordered to be engrossed for a third reading; and

On motion of Mr. Hand,

The bill was recommitted to the committee of the whole.

Mr. Blair, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Wesleyan Institute," which was read twice and referred to the committee of the whole.

The 'bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district,' and

The "bill declaratory of the interests of the state of Michigan in mines and minerals" were severally read the third time and passed.

A committee from the Senate was announced, consisting of Senators Smith and Fenton, who informed the House that the Senate would meet the House in joint convention at twelve o'clock this day.

On motion of Mr Hand, a committee of two was appointed consisting of Messrs. Peck and Hazleton, to inform the Senate that the House would be prepared to meet them in joint convention at the hour designated.

The House then resolved itself into committee of the whole on the "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company," Mr. Groves in the chair.

After some time spent thereon the committee rose, and through their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Peck, it was ordered that the Hall of the House be prepared for the reception of the Senate.

Mr. Brotherson from the committee on engrossment and enrollment, reported the following bills as correctly enrolled, and that the same were this day presented to the Governor for his approval, viz:

A "bill concerning returns of delinquent taxes of 1845, for the county of Berrien;" and

A "bill to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road."

The Honorable the Senate of the state of Michigan was then announced, and the Senators were conducted to their seats.

IN JOINT CONVENTION.

The convention was called to order by the President of the Senate, and on calling the rolls of the two Houses, it was found that the Senators were all present, and the Representatives were all present with the exception of Messrs. Ames, A. C. Baldwin, Cole, Cook, Giddings, Graham, O'Malley, and Ransom.

The President stated that the object for which the joint convention was organized, was to act on such nominations as the Governor might choose to make.

On motion of Senator Hale,

It was ordered, that a committee of two be appointed to wait on the Executive and inform him that the Legislature was assembled in joint convention, and were ready to receive any communication he might be pleased to make.

The President appointed as such committee, Senator Hale and Mr. Brotherson, who, after a short absence, returned and reported that they had discharged the duty devolved upon them, and had received for answer that the Governor would communicate with the joint convention in writing forthwith.

The following communication was received from the Executive by the hands of his Private Secretary:

EXECUTIVE OFFICE,
Detroit April 10, 1846.

To the Senate and House of Representatives in Joint Convention:

I hereby nominate John F. Porter, of Berrien county, to be acting commissioner of internal improvement, for the legal term.

I also nominate John E. Schwarz, to be adjutant general of the militia of this state.

ALPHEUS FELCH.

Senator Howell offered the following resolution:

Resolved, That in view of a sale of our public works, it is deemed inexpedient to appoint an acting commissioner of internal improvement at this time, and that the consideration of such appointment be postponed until Wednesday next, at twelve o'clock, noon.

Senator Denton moved to amend the resolution by striking out all after the word "resolved," to and including the words "at this time, and," which motion was lost, and the original resolution was then rejected.

The nomination of John F. Porter, to be acting commissioner of internal improvement, was then advised and consented to by the following vote:

SENATORS.

YEAS.

Mr. Allen,	Mr. Hale,	Mr. Rix,	
Bush,	Kibbee,	Smith,	
Chipman,	Littlejohn,	Thurber,	
Denton,	Maynard,	Videto,	
Fenton,	Robinson,	Williams,	
Green,			16

NAYS.

Mr. Coe,	Mr. Howell,	2

REPRESENTATIVES.

YEAS.

Mr. Andrews,	Mr. Hollister,	Mr. Scott,	
C. Baldwin,	Kennedy,	Sprague,	
Barbour,	W. Lewis,	Sweeney,	
Barrett,	Moran,	Thomas,	
Chubb,	Morse,	Toll,	
Davis,	Noble,	Wakeman,	
Dunham,	Ord,	Walker,	
Glen,	Patterson,	Webster,	
Groves,	Peck,	Wing,	
Hand,	Pierce,	Speaker,	
Hawley,			31

NAYS.

Mr. Blair,	Mr. Leland,	Mr. Palmer,	
Brotherson,	Leach,	Parsons,	
Edmunds,	T. Lewis,	Rice,	
Hazleton,	McDonald,	Sanborn,	
Jones,			13

The nomination of John E. Schwarz to be adjutant General of the militia of this state, was then advised and consented to by the following vote:

SENATORS.

YEAS.

Mr. Allen,	Mr. Green,	Mr. Robinson,
Bush,	Hale,	Rix,

Chipman,	Howell,	Smith	
Coe,	Kibbee,	Thurber,	
Denton,	Littlejohn,	Videto,	
Fenton,	Maynard,	Williams,	18

NAYS.

0

REPRESENTATIVES.

YEAS.

Mr. Andrews,	Mr. Jones,	Mr. Peck,	
C. Baldwin,	Kennedy,	Rice,	
Barbour,	Leland,	Sanborn,	
Barrett,	Leach,	Scott,	
Brotherson,	T. Lewis,	Sprague,	
Chubb,	W. Lewis,	Sweeney,	
Davis,	McDonald,	Thomas,	
Dunham,	Moran,	Toll,	
Glen,	Morse,	Wakeman,	
Groves,	Noble,	Walker,	
Hand,	Ord,	Webster,	
Hawley,	Palmer,	Wing,	
Hazleton,	Patterson,	Speaker,	
Hollister,			40

NAYS.

Mr. Blair,	Mr. Parsons,	Mr. Pierce,	
Edmunds,			4

On motion of Senator Smith, the joint convention adjourned *sine die.*

JAMES E. PLATT,
Secretary of Senate.
A. W. HOVEY,
Clerk House Rep's.

After the adjournment of the joint convention, the House was called to order by the Speaker, who announced that the nominations of John F. Porter as acting commissioner of internal improvement, and of John E. Schwarz, as adjutant general, had been confirmed by the the two houses in joint convention assembled.

On motion of Mr. Walker, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Walker,

The House resolved itself into committee of the whole on the "bill

to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company," Mr. Groves in the chair.

After some time spent thereon, the committee rose, and by their chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

Mr. Rice moved to lay the bill and amendments on the table, and that the amendments be ordered printed, which motion was lost.

The first, second and third amendments were severally concurred in.

The question being on concurring in the fourth amendment, which amendment was in the following words:

"In case of a non-compliance with above provisions extending the said branch railroad to the village of Manchester, the said company shall forfeit to the state the whole of the said Tecumseh branch railroad."

Mr. Mac Donald offered the following substitute for the amendment, which was rejected:

"Said company shall, within eighteen months from the time said company take possession of said road, construct and put in operation the Tecumseh branch of said road, from the village of Clinton, in the county of Lenawee, in such manner as to be able to do all the business which may be offered at said village of Clinton, and at the like rates charged on other parts of said road; and any failure of said company to comply with and fulfil the provisions and requirements of this section, shall work a forfeiture of the franchises of said company so far as relates to the Tecumseh branch."

The original amendment was then non concurred in by the following vote:

YEAS.

Mr. Blair,	Mr. Leach,	Mr. Pierce,	
Brotherson,	T. Lewis,	Rice,	
Edmunds,	W. Lewis,	Sanborn,	
Hazleton,	McDonald,	Toll,	
Kennedy,	Palmer,	Wakeman,	
Leland,	Parsons,		17

NAYS.

Mr. Ames,	Mr. Hand,	Mr. Scott,	
Andrews,	Hawley,	Sprague,	
C. Baldwin,	Hollister,	Sweeney,	
Barbour,	Moran,	Walker,	

Barrett,	Noble,	Webster,	
Dunham,	O'Malley,	Wing,	
Glen,	Patterson,	Speaker,	
Groves,	Peck,		23

The fifth and sixth amendments were severally non-concurred in, and the seventh amendment was concurred in.

Mr. Toll moved to amend the sixth section of the bill, by striking out all after the word "Branch" in the twenty-third line, to the end of the twenty-ninth line, and inserting the following:

"In case said Southern Railroad Company do not construct, complete and put in operation said railroad within the time, and to the places hereinbefore provided, then and in that case said company shall forfeit and pay to the state of Michigan the sum of ten thousand dollars for each and every year that shall transpire before said company shall so complete and put in operation said railroad aforesaid: Provided, said forfeiture shall not extend to the Tecumseh Branch of said railroad."

Which amendment was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Palmer,	
Andrews,	Kennedy,	Parsons,	
Blair,	Leland,	Pierce,	
Brotherson,	Leach,	Rice,	
Edmunds,	T. Lewis,	Sprague,	
Glen,	W. Lewis,	Sweeney.	
Groves,	O'Malley	Toll,	21

NAYS.

Mr. C. Baldwin,	Mr. Jones,	Mr. Sanborn,	
Barbour,	MacDonald,	Scott,	
Barrett,	Morse,	Wakeman,	
Dunham,	Moran,	Walker,	
Hand,	Noble,	Webster,	
Hazelton,	Patterson,	Wing,	
Hollister,	Peck,	Speaker,	21

Mr. Brotherson moved to amend section six by inserting the following:

"But in case of neglect or refusal by said company to extend the Tecumseh branch to the villages of Clinton and Manchester, within the time above limited, then any association of individuals who will extend said road to the village of Manchester aforesaid within two years thereafter shall have the right to purchase that part of the Tecumseh branch now constructed at the same rate per mile which the

said Michigan Southern Railroad Company pay for the whole of the Southern road including the Tecumseh branch."

On motion of Mr. Noble, the amendment was amended by striking out all after the word "thereafter," and inserting the words, "the association so building said road, shall be entitled to so much stock in said company, at par, as shall amount to the cost of so constructing said road, and said road shall become the property of the Southern railroad company."

The amendment as amended, was then rejected.

Mr. Hand moved to amend section five, by inserting after the word 'state,' in the sixth line, the following:

"But so that no point or portion of said Railroad shall in any case approach, or be, within two miles of the northern boundary line of the state of Indiana, or of the northern boundary line of the state of Ohio; and said company shall never connect with any Railroad, nor allow any Railroad to connect with the road of said company, east of Niles, which shall approach toward said company's Railroad from the southward, or from the state of Indiana or the state of Ohio, without permission of the legislature for that purpose, first had and obtained."

Mr. Andrews moved to amend the amendment by striking out the word 'two' before 'miles' and inserting 'five,' which motion was lost.

Mr. Rice moved to strike out all after the word 'Ohio' where it last occurs in the amendment, and insert "without the consent of said company," which motion was lost.

Mr. Mac Donald moved to strike out 'Niles' and insert 'Mottville' which motion prevailed, by yeas and nays, as follows :

YEAS.

Mr. C. Baldwin,	Mr. Kennedy,	Mr. Pierce,
Barbour,	Leland,	Rice,
Barrett,	Leach,	Sanborn,
Blair,	T. Lewis,	Scott,
Brotherson,	W. Lewis,	Sweeney,
Davis,	McDonald,	Walker,
Edmunds,	Morse,	Webster,
Hawley,	O'Malley,	Wing,
Hazelton,	Palmer,	Speaker,
Jones,		28

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Parsons,
Dunham,	Hollister,	Patterson,

Glen,	Moran,	Sprague,	
Groves,	Noble,	Wakeman,	12

On motion of Mr. Noble,

The amendment was further amended by inserting "and west of the township of Monroe," after the word "Mottville."

The amendment as amended, was then adopted by the following vote :

YEAS.

Mr. Ames,	Mr. Kennedy,	Mr. Peck,	
Barbour,	T. Lewis,	Scott,	
Dunham,	W. Lewis,	Toll,	
Edmunds,	Moran,	Wakeman,	
Glen,	Morse,	Walker,	
Groves,	Noble,	Webster,	
Hand,	O'Malley,	Wing,	
Hollister,	Patterson,		23

NAYS.

Mr. Andrews,	Mr. Hazleton,	Mr. Pierce,	
C Baldwin,	Jones,	Rice,	
Barrett,	Leland	Barbour,	
Blair,	Leach,	Sprague,	
Brotherson,	McDonald,	Sweeney,	
Davis,	Palmer,	Speaker,	
Hawley,	Parsons,		20

Mr. Blair moved to amend section two as follows :

In the sixth line, insert the words "and fifty" after the word "hundred;" in the eighth line strike out the word "forty" and insert 'ninety;' in the twenty-first line, strike out 'nine' and insert 'five;' in the twenty-second line, strike out 'eighteen;' in the twenty-first line strike out 'forty' and insert 'ninety;' in the twenty-third line, strike out 'twenty-five thousand dollars;' in the twenty-fourth line, strike out 'forty' and insert 'ninety;' and in the twenty-seventh line strike out 'forty' and insert 'ninety,' which motion was lost by the following vote :

YEAS.

Mr. Andrews,	Mr. Hazelton,	Mr. Palmer,	
C. Baldwin,	Jones,	Parsons,	
Barrett,	Kennedy,	Pierce,	
Blair,	Leland,	Rice,	
Brotherson,	Leach,	Sanborn,	
Edmunds,	McDonald,		17

NAYS.

Mr. Ames,	Mr. T. Lewis,	Mr. Sprague,	
Barbour,	W. Lewis,	Sweeney,	
Davis,	Moran,	Toll,	
Dunham,	Morse,	Wakeman,	
Glen,	Noble,	Walker,	
Groves,	O'Malley,	Webster,	
Hand,	Patterson,	Wing,	
Hawley,	Peck,	Speaker,	
Hollister,	Scott,		26

Mr. Rice moved to postpone the further consideration of the bill till Monday next, which motion was lost.

The bill was then ordered to be engrossed for a third reading, by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Hazleton	Mr. Peck,	
C. Baldwin,	Hollister,	Scott,	
Barbour,	W. Lewis,	Sprague	
Davis,	Moran,	Toll,	
Dunham,	Morse,	Wakeman,	
Glen,	Noble	Walker,	
Groves,	O'Mulley,	Webster,	
Hand,	Patterson,	Wing,	
Hawley,			25

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr Parsons,	
Barrett,	Leland,	Pierce,	
Blair,	Leach,	Rice,	
Brotherson,	T. Lewis,	Sanborn,	
Edmunds,	McDonald,	Sweeney,	
Jones,	Palmer,	Speaker,	18

Mr. Scott, from the committee on roads and bridges, by unanimous consent, reported a "bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844," which was read twice and referred to the committee of the whole.

On motion of Mr. Davis, the House adjourned.

Saturday, April 11, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Cook, Hand, Ransom and Ten Eyck were absent on leave, and Messrs. Graham, Hollister, and T. Lewis, were absent without leave.

Mr. Wakeman asked and obtained leave of absence for Mr. Hollister till Wednesday.

The journal of yesterday was read and approved.

Mr. Hazelton presented about thirty feet of remonstrance against the attaching of certain territory to the county of Lapeer; laid on the table.

Mr. W. Lewis, from the committee on roads and bridges, reported a 'bill to provide for the laying out of certain state roads,' which was read twice, and referred to the committee of the whole.

Mr. Scott from the same committee, reported a 'bill to provide for the improvement of a certain state road in Clinton county,' which was read twice and referred to the committee of the whole.

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Detroit, April 10, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, 'an act to establish the village of Dundee.'

ALPHEUS FELCH.

The following communication was announced from the Executive, and, on motion of Mr. Hazelton, ordered to be entered on the journal:

EXECUTIVE OFFICE,
Detroit, April 10, 1846.

To the House of Representatives:

I return herewith to the House of Representatives, where the same originated, without my signature, a "joint resolution for the relief of George Buck."

The joint resolution proposes to grant to George Buck, without compensation to be paid therefor, some thirty-eight acres of University lands in the county of St. Joseph.

By the preamble to the resolution it appears that the grantee pur-

chased in August, 1837, a parcel of University land, containing some eighty-nine acres, of which the land proposed to be granted is a part, and that he paid towards the purchase money the sum of $505 66. The amount thus paid constituted the first two payments only—one being made at the time of executing the contract of purchase, and the other at the termination of one year. The terms of payment under the law then in force, required one tenth part of the price in cash, and the remainder in annual instalments of ten per cent. with interest. The law also provided that a failure to make any of the payments designated in such contract should operate as a forfeiture of all rights in the purchaser to the lands described in his contract, rendering his certificate null and void, and subjecting him to summary proceedings for the purpose of ousting him of the possession. These terms, and the consequences of non payment, were always clearly defined and specified in the contract received by the purchaser.

The last instalment paid by Mr. Buck became due in August, 1838. Seven instalments have since become due, none of which it would seem, have been paid, and consequently, by the terms of the contract, all rights secured to him have become forfeited.

Since the time of the last payment moreover, several laws have been enacted, affording various relief, and extending the time for payment under contracts of this character, but of these the applicant does not appear in any manner to have endeavored to avail himself. He must therefore be regarded as having abandoned, for the last seven years at least, every intention of paying for the land, or of retaining rights under his contract. And under these circumstances, no rights, legal or equitable, can remain in the purchaser, and if the grant proposed by the joint resolution be made, it appears to me that it can be regarded in no other light than as a mere gift to the grantee, a gift which, with a due regard to the power of the legislature over the University lands, cannot be bestowed.

The university lands consist of seventy-two sections, set apart and reserved to the state for the use and support of a university, and for that purpose only. The grant is not to us with an unlimited power of disposal. It is a gift for the use and benefit of all future generations, who may be residents within the limits of Michigan. We and our children may enjoy the blessings of its use; but to destroy, or gra-

tuitously bestow the fund itself, or any part of it on an individual, is not within our legitimate authority. The state is a mere trustee, and like an individual acting in a fiduciary character, must faithfully execute the trust by applying the funds to the objects specified in the grant. The power of the legislature over these lands is also well defined in article 10, section 5, of the constitution of this state. By it the legislature is required to "take measures for the protection, improvement and other disposition" of the university lands, the funds accruing from rents and sales are solemnly declared to be a permanent fund for the support of the university, and it is enjoined as a DUTY upon the legislature to "provide effectual means for the improvement and permanent security of the funds of said university." The provision of the constitution, in full accordance, as it certainly is with the design specified in the grant by Congress, precludes the idea of any right in those who may administer the government, to dispose of these lands or the proceeds in any other manner than by sale or lease for the best terms that can be obtained, or to make use of them otherwise than by a strict application to the purposes above specified. The bestowal of the land in question on the individual mentioned in the joint resolution, before me, would, in my opinion, be an attempt to pervert the fund from its legitimate object, and therefore without justification.

With these views of the subject, I am constrained to withhold the executive sanction from the resolution adopted by the legislature.

There are two provisos in the joint resolution which were, perhaps, intended to obviate the difficulty above presented. The Commissioner of the State Land Office is required to give to said Buck a certificate of purchase, "provided, said Buck gives to said commissioner a release of all claims upon the state on account of any balance that may exist in his favor on account of said lands; and provided further, the Commissioner of the State Land Office shall be of the opinion that the university fund will not be impaired by such release."

The release proposed to be required, by the first proviso, would be entirely inoperative and without value. Under the statement of facts above recited, Mr. Buck has no claim for any balance of moneys paid on his contract and no interest in the land itself. The whole was forfeited by his own voluntary failure to pay, more than seven

years ago. A release in such a case can be no consideration for a grant.

The second proviso requires the Commissioner of the Land Office to determine whether the release required by the first proviso will not impair the University fund. The effect of the entire provision appears to be as follows: The state proposes making an absolute grant of certain University lands provided the grantee will release a claim which does not exist or is without foundation, and provided further that the release required by and to be executed to the state, shall do no harm to the fund held by the state. It is difficult to perceive how such a release can do good or tend to the interest of the state or any fund of which the state is the trustee and representative.

I refer to these provisos only for the purpose of showing that there is nothing contained in them to justify the grant proposed or to deprive it of the character of a mere gratuity.

The quantity of land here proposed to be granted is small and may be, and probably is, of comparatively little value. The principle involved in the grant is, however, most important in its consequences. If this resolution is to become a law, I can conceive no reason why in all cases of forfeited contracts, the Legislature should not make similar grants of land to the amount of the forfeited payments. Previous to the year 1844 University lands to the amount of between eighty and ninety thousand dollars were forfeited for nonpayment. I have not now before me the documents necessary to ascertain the precise amount paid in on these forfeited contracts, nor the amount thus forfeited since the above mentioned date; but this statement is sufficient to show that the claims which may be justly presented, if the principles of this joint resolution are to be adopted will be neither few in number nor small in amount. Upon a moderate estimate they would require gifts from the University lands to the amount of at least thirty thousand dollars—and from the primary school lands, to which the same principles would apply, a much larger amount.

In no view of the case which I am able to take, can such a grant receive the sanction of the authorities, who, as Trustees, are to control these lands with the sole purpose of applying them and their proceeds to the purpose for which they were bestowed.

ALPHEUS FELCH.

On motion of Mr. Hawley,

The joint resolution for the relief of George Buck, was laid on the table.

The following communication was received from the Senate:

SENATE CHAMBER,
Detroit, April 11, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to authorize the re-survey of the territorial road from the village of Lapeer to the village of Rochester,' and

A 'bill to establish a state road from the village of Almont, in the county of Lapeer, to the village of Port Huron, in the county of St. Clair;' and to respectfully inform you that the Senate have passed the same.

Also to transmit a 'bill to incorporate the Grand Rapids Canal and Hydraulic company,' and a 'bill relative to warehousing and forwarding,' which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also to return the "bill to incorporate the Port Huron and Lake Michigan rail-road company,' and to inform you that the Senate have passed the same with amendments in which they respectfully ask the concurrence of the House.

Also to return the following entitled bills, and to respectfully inform you that the Senate have non-concurred therein.

A 'bill to repeal the charter of the village of Dearbornville;'

A 'bill to incorporate the Huron river canal company;' and,

A 'bill to abolish the office of acting commissioner of internal improvement, and for other purposes.'

Also to return the 'bill declaratory of the interests of the state of Michigan in mines and minerals,' and to respectfully inform you that the Senate have non-concurred in the House amendments thereto.

Also to return the "bill to change the name of Churchtown, in the county of Kent," and to respectfully inform you that the Senate adhere to their non-concurrence in the House amendments thereto.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of Senate.

The 'bill to authorize the re-survey of the territorial road from the village of Lapeer to the village of Rochester,' and,

The "bill to establish a state road from the village of Almont, in the county of Lapeer, to the village of Port Huron, in the county of St. Clair," were ordered to be enrolled.

The "bill to incorporate the Grand Rapids Canal and Hydraulic Company," was read twice and referred to the committee on banks and incorporations.

The "bill relative to warehousing and forwarding," was read twice and referred to the committee of the whole.

On motion of Mr. Jones,

The House adhered to their amendments to the "bill to change the name of Churchtown, in the county of Kent," by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Palmer,	
Andrews,	Hand,	Peck,	
C. Baldwin,	Hawley,	Pierce,	
Barbour,	Hazleton,	Rice,	
Barrett,	Jones,	Sweeney,	
Blair,	Leland,	Thomas,	
Brotherson,	Leach,	Wakeman,	
Chubb,	W. Lewis,	Walker,	
Dunham,	Moran,	Webster,	
Edmunds,	Noble,	Wing,	
Giddings,	Ord,	Speaker,	33

NAYS.

Mr. Cole,	Mr. Morse,	Mr. Scott,	
Davis,	O'Malley,	Sprague,	
Glen,	Parsons,	Toll,	
Kennedy,	Sanborn,		11

Mr. Walker moved to reconsider the last vote.

Mr. Toll moved to lay the motion to reconsider on the table, which motion was lost.

And the question being on reconsidering,

It was decided in the negative.

On motion of Mr. Ames,

The House insisted on their amendments to the "bill declaratory of the interests of the state of Michigan in mines and minerals."

Mr. Noble moved to reconsider the vote by which the House insisted on their amendments to the "bill declaratory of the interests of the state of Michigan in mines and minerals," and

On motion of Mr. Peck,

The motion to reconsider was laid on the table.

The "bill to incorporate the Port Huron and Lake Michigan Railroad Company," being before the House, and the question being on concurring in the Senate amendments,

Mr. Blair moved to lay it on the table, which motion was lost.

All the Senate amendments, except the one striking out sec. twenty-nine, were severally concurred in without a division, and the amendment striking out section twenty-nine, was concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Hollister,	Mr. Sanborn,	
C Baldwin,	Jones,	Scott,	
Barbour,	W. Lewis,	Sweeney,	
Barrett,	Morse,	Thomas,	
Davis,	Ord,	Walker,	
Dunham,	Palmer,	Webster,	
Hawley,	Patterson,	Wing,	
Hazleton,	Peck,		23

NAYS.

Mr. Ames,	Mr. Groves,	Mr. O'Malley,	
Blair,	Hand,	Parsons,	
Chubb,	Kennedy,	Pierce,	
Cole,	Leland	Sprague,	
Edmunds,	Leach,	Toll,	
Giddings,	McDonald,	Wakeman,	
Glen,	Moran,	Speaker,	21

Mr. Hand moved to lay the bill on the table, which motion did not prevail.

On motion of Mr. Hazleton,

The votes by which the House concurred in the first, second, third and fourth Senate amendments were severally reconsidered.

Mr. Hazleton moved to reconsider the vote by which the House concurred in the fifth Senate amendment, striking out "thirty" before "years" in the first line of section thirty, and inserting "ten," which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Pierce,
Andrews,	Jones,	Rice,
C. Baldwin,	Leach,	Sanborn,
Barrett,	T. Lewis,	Scott,
Blair,	W. Lewis,	Sprague,

Brotherson,	McDonald,	Sweeney,	
Davis,	Morse,	Wakeman,	
Dunham,	O'Malley,	Walker,	
Giddings,	Ord,	Webster,	
Glen,	Palmer,	Wing,	
Hawley,	Patterson,	Speaker,	
Hazleton,	Peck,		35

NAYS.

Mr. Chubb,	Mr. Hand,	Mr. Moran,	
Edmunds,	Leland,	Toll,	
Groves,			7

The question recurring on concurring in the Senate amendments the first four amendments were non-concurred in, in gross.

The question then being on concurring in the fifth Senate amendment, it was non-concurred in by yeas and nays as follows :

YEAS.

Mr. Ames,	Mr. Barrett,	Mr. Hawley,	
Andrews,	Davis,	Kennedy,	
C. Baldwin,	Edmunds,	Speaker,	
Barbour,	Hand,		11

NAYS.

Mr. Blair,	Mr W. Lewis,	Mr. Rice,	
Brotherson,	McDonald,	Sanborn,	
Dunham,	Moran,	Scott,	
Glen,	Morse,	Sprague	
Groves,	O'Malley,	Sweeney,	
Hazleton	Ord,	Toll,	
Hollister,	Palmer,	Wakeman,	
Jones,	Parsons,	Walker,	
Leland,	Patterson,	Webster,	
Leach,	Peck,	Wing,	
T. Lewis,	Pierce,		32

On motion of Mr. Peck, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Toll, by unanimous consent, presented a petition of O. Preston and one hundred and three citizens of St. Joseph county, for the sale of the Southern Railroad, under certain restrictions; laid on the table.

Mr. Hand, by unanimous consent, presented the petition of sundry citizens of Detroit, for an amendment to the city charter; referred to the committee on the judiciary.

Mr. Davis, pursuant to previous notice, asked and obtained leave to introduce a 'bill for the relief of William M'Dermott,' which was read twice and referred to the committee of the whole.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, the 'bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad company,' and the bill was read the third time, when

Mr. Edmunds moved to recommit the bill to the select committee on the sale of the public works, with instructions to incorporate the following section:

'Section 2. That any association of individuals other than those mentioned in the first section of this act, may at any time within thirty days from and after the day this act shall take effect, take possession of said Michigan Southern railroad, including the Tecumseh branch, with the privileges and franchises in this act granted, by first paying to the state treasurer at the state treasury, the sum of one hundred thousand dollars, in one or more of the classes of state indebtedness mentioned in section four of this act, and upon the payment of the further sum of four hundred and fifty thousand dollars, in ten equal semi-annual payments, with semi-annual interest thereon at the rate of six per cent per annum, in any of the aforesaid state indebtedness, then the said Railroad and all its appurtenances, shall vest in and become the property of said company: Provided always, that the persons named in the first section of this act, may purchase said road upon the conditions named in this section, if they shall elect so to do, within ten days after the payment of the aforesaid sum of one hundred thousand dollars, and in case the said road is not taken on the conditions named in this section within the time above limited, then the persons named in the first section of this act may take said road on the terms hereinafter provided.'

This motion was lost by yeas and nays as follows:

YEAS.

Mr. C. Baldwin,	Mr. Glen,	Mr. Palmer,	
Barrett,	Groves,	Parsons,	
Blair,	Jones,	Pierce,	
Brotherson,	Kennedy,	Sanborn,	
Chubb,	Leland,	Sprague,	
Edmunds,	Leach,	Wakeman,	
Giddings,	W. Lewis,	Webster,	21
55			

NAYS.

Mr. Ames,	Mr. Hollister,	Mr. Peck,	
Barbour,	T. Lewis,	Scott,	
Cole,	Moran,	Sweeney,	
Davis,	Morse,	Thomas,	
Dunham,	Noble,	Toll,	
Hand,	O'Malley,	Walker,	
Hawley,	Ord,	Wing,	
Hazelton,	Patterson,		23

The question was then taken on the passage of the bill, and it was lost by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Ames,	Mr. T. Lewis,	Mr. Scott,	
C. Baldwin,	W. Lewis,	Sprague,	
Barbour,	Moran,	Sweeney,	
Cole,	Morse,	Thomas,	
Davis,	Noble,	Toll,	
Dunham,	O'Malley	Wakeman,	
Hand,	Ord,	Walker,	
Hawley,	Patterson,	Webster,	
Hazelton,	Peck,	Wing,	
Hollister,			28

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Leach,	
Barrett,	Glen,	Palmer,	
Blair,	Groves,	Parsons,	
Brotherson,	Jones,	Pierce,	
Chubb,	Kennedy,	Sanborn,	
Edmunds,	Leland,		17

Mr. Chubb moved an adjournment, which was negatived by the following vote:

YEAS.

Mr. Ames,	Mr. Chubb,	Mr. Parsons,	
Brotherson,	Palmer,	Pierce,	6

NAYS.

Mr. Andrews,	Mr. Hazleton,	Mr. Patterson,	
C. Baldwin,	Hollister,	Peck,	
Barbour,	Jones,	Sanborn,	
Blair,	Kennedy,	Scott,	
Cole,	Leland,	Sprague,	
Davis,	Leach,	Sweeney,	
Dunham,	W. Lewis,	Thomas,	
Edmunds,	Moran,	Toll,	
Giddings,	Morse,	Wakeman,	
Glen,	Noble,	Walker,	
Hand,	O'Malley,	Webster,	
Hawley,	Ord,	Wing,	36

Mr. Peck moved a reconsideration of the vote by which the bill was lost; and,

On motion of Mr. Walker, the motion was laid on the table.

On motion of Mr. Ord, the House adjourned.

Monday, April 13, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. A. C. Baldwin, Ransom and Ten Eyck were absent on leave, and Messrs. Ames, Brotherson, Jones, Leach, Morse and Scott were absent without leave.

The journal of Saturday was read and approved.

Mr. Davis asked and obtained leave of absence for Messrs. Jones and Scott for an indefinite time.

Mr. Giddings presented the petition of W. C. Sabin, and sixty-eight other citizens of Kalamazoo and Barry counties, for an alteration in a certain state road; referred to the committee on roads and bridges.

Mr. Patterson, from the committee on ways and means, reported a 'bill to provide for the settlement of the account of Daniel Williams, N. P. Smith, and George W. Ketchum, for material furnished and labor performed on the branch of the Southern Railroad during the the year 1845;' and

A 'bill to provide for the re-assessment of certain taxes in the township of Stockbridge, in the county of Ingham, and in the township of Woodstock, Lenawee county,' which were read twice and referred to the committee of the whole.

Mr. Sanborn, from the committee on banks and incorporations, reported a 'bill to incorporate the Utica and Detroit city plank road company,' which was read twice and referred to the committee of the whole.

Mr. Peck, from the select committee, to whom was referred that portion of the Governor's message relating to the geological department, submitted a report, which was laid on the table and ordered to be printed.

Mr. Davis offered the following resolution, which on motion of Mr. Walker, was laid on the table:

Whereas, The legislature have determined they will not provide for the sale of the Southern Railroad, or for the sale of the Clinton and Kalamazoo canal, nor permit the citizens of the Northern part of the state to construct for themselves a Railroad to develope their resources and induce the more rapid settlement of that portion of the state, therefore

Resolved, That the legislature ought to render the state works which are retained as available as possible, and make such improvements in the navigation of our large rivers as will induce the settlement of our vast tracts of unimproved lands, therefore that the committee of internal improvements are hereby instructed to bring in a bill to provide for the following appropriations, to wit:

20,000 acres of land for the Southern Railroad; 5,000 acres of land for the Tecumseh branch; 10,000 for the Clinton and Kalamazoo canal east of Rochester; 20,000 for Clinton and Kalamazoo canal west of Pontiac: 5,000 for the improvement of Flint river; 5,000 for the improvement of Shiawassee river; 10,000 for the improvement of Grand river; 5,000 for the improvement of Saginaw river, 5,000 for the improvement of St. Joseph river; 5,000 for the improvement of Kalamazoo river; 5,000 for the improvement of the Detroit and Grand River road.

The House then resolved itself into committee of the whole on the general order, Mr. Hawley in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back without amendment,

A "bill to incorporate the Wesleyan Institute;"

A "bill for the relief of William McDermott;"

A "bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844;

A "bill to provide for the laying out certain state roads;"

A 'bill to incorporate the Utica and Detroit city plank road company;"

A "bill to provide for the settlement of the account of Daniel Williams, N. P. Smith and George W. Ketchum, for material furnished and labor performed on the branch of the Southern railroad during the year 1845," and

A 'bill to provide for the re-assessment of certain taxes in the town-

ship of Stockbridge, in the county of Ingham, and also in the township of Woodstock, in Lenawee county."

Also, reported back the "bill relative to warehousing and forwarding," with an amendment, in which the concurrence of the House was asked.

The amendment was concurred in, and

On motion of Mr. Hand,

The bill was referred to a select committee consisting of Messrs. Hand, Blair and Cook, with general instructions.

The remainder of the bills reported back by the committee of the whole, were severally ordered to be engrossed for a third reading.

Mr. Brotherson, by unanimous consent, laid before the House a proposition from H. D. Mason and others for the purchase of the Southern Railroad, which,

On motion of Mr. Barbour, was laid on the table, and

On motion of Mr. Blair, ordered to be printed.

After some debate,

On motion of Mr. Walker,

The proposition was taken from the table, and

On motion of Mr. Blair,

Referred to the select committee on the sale of the public works.

On motion of Mr. O'Malley, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Ames, from the committee on engrossment and enrollment, reported the following bills as correctly engrossed.

A 'bill to incorporate the Utica and Detroit city plank road company;'

A 'bill to incorporate the Wesleyan Institute;'

A 'bill to provide for laying out certain state roads;'

A 'bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844;'

A 'bill to provide for the settlement of the account of Daniel Williams, N. P. Smith, and Geo. W. Ketchum, for material furnished,

and labor performed on the branch of the Southern railroad, during the year 1845;'

A 'bill to provide for the re-assessment of certain taxes in the township of Stockbridge, in the county of Ingham, and in the township of Woodstock, Lenawee county;' and

A 'bill for the relief of William McDermott.'

Mr. W. Lewis, from the committee on roads and bridges, by unanimous consent reported back the petition of W. C. Sabine, and others of Kalamazoo and Barry counties, relative to a certain state road, and reported adverse to the prayer of the petition.

The report was accepted and the committee discharged from the further consideration of the petition.

The following message was received from the Senate:

SENATE CHAMBER,
April 13, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return title XI of the revision, and to respectfully inform you that the Senate have passed the same to a third reading and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Also to return the "bill to amend an act entitled an act to incorporate the Gibraltar and Flat Rock company," and to inform you that the Senate have passed the same with an amendment, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

Mr. Ames moved to amend the Senate amendment to the "bill to amend an act entitled an act to incorporate the Gibraltar and Flat Rock company," striking out therefrom the words, 'by a vote of two-thirds of both houses thereof,' which motion was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Ord,	
Andrews,	Kennedy,	Patterson,	
Cook,	Moran,	Wakeman,	
Davis,	Noble,	Speaker,	
Glen,			13

NAYS.

Mr. C. Baldwin,	Mr. Graham,	Mr. Parsons,

Barbour,	Hand,	Pierce,
Barrett,	Hazleton,	Rice,
Blair,	Hollister,	Sanborn,
Chubb,	Leland,	Sweeney,
Cole,	W. Lewis,	Walker,
Dunham,	McDonald,	Webster,
Edmunds,	Palmer,	Wing,
Giddings,		25

The Senate amendment was then concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Parsons,
Andrews,	Hand,	Patterson,
C. Baldwin,	Hollister,	Pierce,
Barbour,	Kennedy,	Rice,
Barrett,	Leland,	Sanborn,
Blair,	T. Lewis,	Sprague,
Cole,	W. Lewis,	Sweeney,
Cook,	McDonald,	Wakeman,
Davis,	Moran,	Walker,
Dunham,	Noble,	Webster,
Edmunds,	Ord,	Wing,
Giddings,	Palmer.	35

NAYS.

Mr. Chubb,	Mr. Groves,	Mr. Speaker,
Graham,	Hazelton,	5

The bill as amended was then concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Parsons,
C. Baldwin,	Hand,	Patterson,
Barbour,	Hawley,	Peck,
Barrett,	Hazelton,	Pierce,
Blair,	Hollister,	Rice,
Brotherson,	Leland,	Sanborn,
Chubb,	T. Lewis,	Sweeney,
Cole,	W. Lewis,	Wakeman,
Davis,	McDonald,	Walker,
Dunham,	Moran,	Webster,
Edmunds,	Ord,	Wing,
Giddings,	Palmer,	35

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. Toll,
Cook,	Kennedy,	Speaker,
Graham,		7

Title XI of the proposed revision was taken up, and the question being on concurring in the Senate amendments thereto, the first, second, third, fourth, eighth, ninth, tenth, eleventh, twelfth, thirteenth,

fourteenth and sixteenth amendments were severally concurred in, and the fifth, sixth, fifteenth, seventeenth and eighteenth amendments were severally non-concurred in.

On motion of Mr. Walker, the seventh Senate amendment was amended by striking out 'five,' in line three, of section eighty-two, and inserting 'four,' and the amendment as amended was then concurred in.

Mr. Rice, from the select committee to whom was referred the petition of A. Allen and others, to vacate a portion of the village plat of the village of Medina, by unanimous consent, reported a 'bill to vacate a part of the village plat of the village of Medina, in the county of Lenawee,' which was read twice and referred to the committee of the whole.

The House then resolved itself into the committee of the whole on the general order, Mr. Rice in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back without amendment, a 'bill to vacate a part of the village plat of the village of Medina, in the county of Lenawee;' and

A 'joint resolution for the relief of Wendell Buck.'

The first named bill was ordered to be engrossed and read the third time.

On motion of Mr. Hazleton, the 'joint resolution for the relief of Wendell Buck,' was referred to the committee on the judiciary.

On motion of Mr. Barbour, the 'joint resolution for the relief of George Buck,' which was returned by the Governor without his signature on Saturday, was taken from the table, and the question being on its passage, it was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. W. Lewis,	
Blair,	Groves,	Noble,	
Cole,	Hollister,	Palmer,	
Davis,			10

NAYS.

Mr. Andrews,	Mr. Hawley,	Mr. Pierce,	
C Baldwin,	Hazleton,	Rice,	
Barbour,	Kennedy,	Sanborn,	
Barrett,	Leland	Sprague,	

Brotherson,	Leach,	Sweeney,	
Chubb,	T. Lewis,	Toll,	
Cook,	McDonald,	Wakeman,	
Dunham,	O'Malley,	Walker,	
Edmunds,	Ord,	Webster,	
Giddings,	Parsons,	Wing,	
Graham,	Patterson,	Speaker,	
Hand,	Peck,		35

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 13, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill in regard to the Erie and Kalamazoo Railroad Company," and

A "bill to incorporate the Owasso and Saginaw Navigation Company," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

The "bill in regard to the Erie and Kalamazoo Railroad Company," and

The "bill to incorporate the Owasso and Saginaw Navigation company," were read twice and referred to the committee on banks and incorporations.

On motion of Mr. Patterson, the House adjouned.

Tuesday, April 14, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. A. C. Baldwin, Hand, Jones, Morse, Scott, Ten Eyck and Walker were absent on leave, and Mr. Brotherson, was absent without leave.

Mr. Blair presented the petition of P. M. Everett, and others, members of the common council of the village of Jackson, for an amendment of the charter of said village; referred to the committee on banks and incorporations.

Mr. Ransom presented the petition of citizens of Kalamazoo county, for an alteration of the law relative to wolf bounties; referred to the committee on agriculture and manufactures.

Mr. Noble presented the petition of Lewis Cass, Beverly Robinson, and others, for partition of lands held in common with the state; referred the committee on the judiciary.

Mr. Hand presented the petition of H. H. Comstock, and others, for the incorporation of a company to construct a railroad from Kalamazoo to the mouth of the Kalamazoo river; referred to the committee on banks and incorporations.

Mr. Dunham from the committee on claims, reported back the claim of P. Slingerland, and recommended that it be referred to the committee on ways and means, with instructions to incorporate the same in the general appropriation bill.

The report was accepted, and the claim referred to the committee on ways and means, with the instructions.

Mr. Hand, from the select committee on the sale of the public works, submitted the following report, which was accepted and laid on the table:

The select committee on the sale of the public works to whom was referred a proposition of Oliver Lee, Henry L. Sizer, Wm. O. Brown, Freeman Clark and Alexis Ward, touching the sale of the Southern Railroad, respecfully report—That they have had said proposition under careful consideration, and that H. D. Mason, Esq., the person by whom said proposition was signed, appeared before the committee on behalf of the individuals named therein, and had a free conference with the committee. This was the more necessary as the document referred to was equally brief and vague. Said proposition makes no reference to the terms of the bill now before the House. Its principal features are that it proposes $600,000 as the price of the Southern Railroad and Tecumseh Branch; $100,000 to be paid within three months upon taking possesion, and $100,000 yearly thereafter with annual interest at 6 per cent; "The corporators to have the right of extending the Southern Railroad to the line of the state of Indiana at such point as they may deem expedient, and of continuing the Tecumseh Branch Railroad to connect with the Erie and Kalamazoo Railroad at Palmyra." Thus the eastern termination of the road

would be at Toledo, and the road west of Hillsdale would undoubtedly be diverged into Indiana. In fact, the agent frankly stated what indeed could not be well concealed, that the express object was to incorporate the portion of the road west of Adrian as a part of the route of a projected Railroad from Toledo to Chicago. This would in a great measure deprive all the southern tier of counties, except Lenawee and Hillsdale, of the benefits anticipated from this road. Your committee believe that the southern portion of the state would have just cause of complaint should such a proposition be favorably entertained by this House.

Nor would our citizens at large be less indignant to learn that we would for a moment countenance a proposal to foster and cherish the interests and plans of neighboring States at the expense of our own. Even the gilded bait of $100,000 would scarcely be sufficient to induce our people so far to forget their self-respect, their interest and their true policy. For your committee deem it to be unquestionably true, as they have taken occasion to express themselves heretofore—and the dictates of a wise policy—that the Southern Railroad should be kept within our own borders, and as near as may be upon the line which was originally projected for it, whereby the unmeasured agricultural riches of the country west of Hillsdale would be opened to a market, our resources be developed, and the wealthy and taxable property of the state be greatly augmented. The profits to arise from the business upon the road should be made to build up and make towns and villages in our own state, and not elsewhere. And even the tax upon the road, if extended in our own state, would be of greater importance than the additional $100 000 proposed as the price of our being made forever tributary to and dependant upon our Southern neighbors. A feature of this proposition particularly worthy of notice, is that three months is asked for the purchasers to signify their decision in regard to the acceptance of the charter, and it proceeds to say: "The period of three months is proposed to afford the corporators and their associates *ample time* for the examination of the provisions of the charter." The effect of all which is that it is not in fact a proposition to purchase the road, but a proposal to have their names incorporated in the charter, and give them three months to decide whether they can make it for their interest to accept the char-

ter and take the road. This your committe deem to be much more objectionable than an open charter, as it allows no competition, and gives no assurance of sale, especially as they have no evidence of the ability or wish of the persons named to purchase the road. Upon being interrogated as to his authority to act in the premises for the persons named, the agent declined to exhibit any evidence of such authority, but said he was authorized to *use* their names.

To the repeated enquires of different members of the committee as to his credentials, the agent gave no satisfactory answer, but only reiterated that he was authorized to use their names. Your committee have no knowledge or belief that said agent had any authority or power from the persons named by him to contract for them or in their behalf for the purchase of the southern road; on the contrary, they were satisfied that he had no such authority. It is also to be remarked, that the proposition was to give effect to the act from its passage without any reference to the sale of the Central Railroad. Upon being interrogated to that point, the agent said he could make no proposition for a charter to take effect only in case the Central Railroad should be sold. He also declined to make any proposition for the road upon condition that it should be kept within the state, and in like manner declined to name any sum or bid for the road upon the terms that the names of the proposed corporators in the present bill should be stricken out, and the names of those whom he represented inserted in lieu thereof.

Your committee have, therefore, no difficulty in coming to the conclusion, that there is no real or substantiated offer to purchase the southern Railroad contained in the document referred to them, and to recommend that the same should in no manner influence the House in its action upon the bill now before it for the sale of said road.

On motion of Mr. Peck, the following resolution was taken from the table.

Resolved, That from and after the tenth instant, no more reports from standing or select committees, except such as may relate to the proposed revision of the laws, nor any new matter of any kind be received for action by this House.

Mr. Andrews offered the following substitute for the resolution:

Resolved, That from and after the eighteenth instant, no more re-

ports from standing or select committees, except such as may relate to the proposed revision of the laws, nor any new matter, except such as may relate to the sale of the public works, and the making necessary appropriations for current expenses, be received for action by this House.

Mr. Blair moved to strike out of the substitute the word 'eighteenth' and insert 'twenty-first,' which motion was lost, and the substitute was adopted.

Mr. Ames, from the committee on engrossment and enrollment, reported the 'bill to vacate a part of the village plat of the village of Medina,' as correctly engrossed.

THIRD READING OF BILLS.

The following bills were severally read the third time and passed:

A 'bill to provide for the reassessment of certain taxes in the township of Stockbridge, in the county of Ingham, and also in the township of Woodstock, Lenawee county;'

A 'bill to vacate a part of the village of Medina;'

A 'bill to provide for the laying out of certain state roads;'

A 'bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844;' and

A 'bill for the relief of William McDermott;'

The 'bill to provide for the settlement of the account of Daniel Williams, U.P. Smith and George W. Ketchum, for material furnished and labor performed on the branch of the Southern Railroad during the year 1845,' was read the third time, and

On motion of Mr. Patterson, laid on the table.

The "bill to incorporate the Wesleyan Institute" was read the third time and passed by a two thirds vote as follows:

YEAS.

Mr. Andrews,	Mr. Kennedy,	Mr. Pierce,
C. Baldwin,	Leland,	Rice,
Barbour,	Leach,	Sanborn,
Blair,	McDonald,	Sprague.
Brotherson,	Moran,	Sweeney,
Cole,	Noble	Wakeman,
Edmunds,	Ord,	Walker,
Hand,	Palmer,	Webster,
Hawley,	Peck,	Speaker,
Hazleton,		28

NAYS.

Mr. Barrett,	Mr. Giddings,	Mr. Parsons,	
Chubb,	Glen,	Patterson,	
Davis,	Graham,	Thomas,	
Dunham,	Groves,	Wing,	12

The "bill to incorporate the Utica and Detroit city plank road company," was read the third time and passed by the following vote, two thirds voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Ransom,	
C. Baldwin,	Hazleton	Rice,	
Barbour,	Leland,	Sanborn,	
Barrett,	Leach,	Sprague	
Blair,	McDonald,	Thomas,	
Chubb,	Moran,	Wakeman,	
Cole,	O'Malley,	Walker,	
Davis,	Ord,	Webster,	
Dunham,	Palmer,	Wing,	
Hand,	Peck,	Speaker,	30

NAYS.

Mr. Andrews,	Mr. Graham,	Mr Parsons,	
Cook,	Groves,	Pierce,	
Edmunds,	Kennedy,	Sweeney,	
Glen,			10

On motion of Mr. Hazleton,

The motion to reconsider the vote by which the "bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company," was lost, was taken from the table, and the motion to reconsider prevailed.

Mr. Chubb moved to recommit the bill to the select committee with instructions so to alter and amend the same as to strike out the names of the corporators—fix the price at six hundred thousand dollars, one hundred thousand on taking the road, and the remainder in ten semi-annual payments, with six per cent. per annum interest—requiring the completion of the Tecumseh branch to Clinton, in two years, and the extention and completion to Manchester within six years from the time of taking possession of said road, or forfeit the whole of the said Tecumseh branch. And extend and complete the main branch of said Southern Railroad as far west in this state as the meridian of Coldwater, or forfeit to the state two thousand dollars for each and every year the same shall remain unfinished after the expiration of

ten years from the time said company shall take possession of said road. Grant the privilege of connecting with the Erie and Kalamazoo Railroad, or any other railroad on the south, at the option of the company: provided that property, goods or passengers shall be transported at all times without unnecessary delay to either Monroe or Toledo as directed.

Mr. Hand offered the following substitute for the motion, which was adopted:

That the bill be recommitted to the select committee with instructions to strike out all after the word "thereafter" in line eight of section six, to the word "construct" in line twelve, and insert the words "and also;" strike out the written amendment that comes in after the word "state" in line six of section five; and strike out of the twenty-first and twenty-second lines of section two, the words "within nine years;" and that the committee be instructed to report forthwith.

Mr. Brotherson moved to amend the instructions by striking out, in the eighth line of section two, the words "forty thousand," and insert "ninety thousand," which motion was lost by the following vote:

YEAS.

Mr. Barret,	Mr. Hawley,	Mr. Palmer,	
Blair,	Kennedy,	Parsons,	
Brotherson,	Leland,	Pierce,	
Chubb,	Leach,	Sanborn,	
Edmunds,	W. Lewis,	Webster,	
Giddings,			16

NAYS.

Mr. Ames,	Mr. Hazleton,	Mr. Ransom,	
Andrews,	Hollister,	Rice,	
C. Baldwin,	T. Lewis,	Sprague,	
Barbour	McDonald,	Sweeney,	
Cole,	Moran,	Thomas,	
Davis,	Noble,	Wakeman,	
Dunham,	O'Malley,	Walker,	
Glen,	Ord,	Wing,	
Graham,	Patterson,	Speaker,	
Hand,	Peck,		29

The instructions were then adopted.

Mr. Noble presented the proceedings of a meeting of citizens of Monroe, instructing him to vote for the bill to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company.

Mr. Hand, from the select committee, reported the bill back amen

ded in accordance with the instructions, and the amendments were concurred in.

The Speaker asked to be excused from voting on the final passage of the bill, and the House excused him.

Mr. Brotherson moved to lay the bill on the table, which motion was lost.

Mr. Chubb moved an adjournment, but the House refused to adjourn.

The 'bill to authorize the sale of the Southern rail-road, and to incorporate the Michigan Southern Railroad company,' was then passed by the following vote, two-thirds voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Patterson,	
Andrews,	Hawley,	Peck,	
C. Baldwin,	Hazleton,	Ransom,	
Barbour,	Hollister,	Rice,	
Barrett,	Leach,	Sanborn,	
Cole,	T. Lewis,	Sprague,	
Davis,	W. Lewis,	Sweeney,	
Dunham,	McDonald,	Thomas,	
Giddings,	Moran,	Wakeman,	
Glen,	Noble,	Walker,	
Graham,	O'Malley,	Webster,	
Groves,	Ord,	Wing,	36

NAYS.

Mr. Blair,	Mr. Edmunds,	Mr. Parsons,	
Brotherson,	Kennedy,	Pierce,	
Chubb,	Leland,		8

On motion of Mr. Sweeney,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The following communication was received from the Senate:

SENATE CHAMBER,
Detroit, April 14, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform you that the Senate insist upon their amendments to the 'bill to incorporate the Port Huron and Lake Michigan rail-road company,' and have appointed Senators Smith, Fenton and Green a committee of conference on the part of the Senate on the disagreement between the two houses upon said bill, and to respectfully ask the appointment of a like committee on the part of the House.

Also to transmit a 'bill to authorize the townships of California and Algansee to hold township meetings therein, and for other purposes,' which the Senate have passed, and respectfully ask the concurrence of the House therein,

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The "bill to authorize the townships of California and Algansee to hold township meetings, and for other purposes," was read twice, ordered to a third reading, and

On motion of Mr. Sprague,

The rule was suspended, and the bill read the third time and passed.

On motion of Mr. Hazelton,

A committee of conference was ordered to be appointed on the disagreement between the two Houses on the "bill to incorporate the Port Huron and Lake Michigan Railroad Company," and the Speaker appointed as such committee Messrs. Hazelton, Peck and W. Lewis.

Mr. Patterson, from the committee on ways and means, reported back without amendment, the "joint resolution relative to leasing the Clinton and Kalamazoo canal."

And the joint resolution being under consideration,

On motion of Mr. Walker,

The resolution was amended by inserting after the word "persons" the words "a reasonable remuneration," and by inserting after the word "canal," the words "to be determined by appraisal, deducting such sum as shall be reasonable for the use of the same."

On motion of Mr. Hand,

The joint resolution was laid on the table.

On motion of Mr. Hand,

Resolved, That the Commissioner of Internal Improvement be instructed to communicate to this House the copies of any lease or leases, made to any individual or individuals, of any waters from the Clinton and Kalamazoo canal, or any contract by which the state is bound to furnish water from said canal.

Mr. Brotherson offered the following resolution:

Resolved, That Mr. Rice, of the select committee on the sale of

the public works, be instructed to report a bill for the sale of the Clinton and Kalamazoo canal, in conformity with the proposition offered by Jonathan Lamb, Esq.

The Speaker, (Mr. Hazleton in the chair,) moved to amend the resolution by striking out all after the word "canal," pending which,

On motion of Mr. Walker,

The resolution and amendment were laid on the table.

Mr. Ames, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A "bill to establish a state road from the village of Almont, in the county of Lapeer, to the village of Port Huron, in the county of St. Clair;"

A "bill to authorize the re-survey of the territorial road from the village of Lapeer to the village of Rochester;"

A "bill to amend an act entitled an act to incorporate the Gibraltar and Flat Rock Company."

On motion of Mr. Hawley,

The bill to incorporate the Woodstock Manual Labor School," was taken from the table,

And the question being on its passage, it was lost, by yeas and nays as follows, two-thirds not voting in the affirmative.

YEAS.

Mr. Ames,	Mr. Hawley,	Mr. Rice,	
Andrews,	Hazelton,	Sanborn,	
Blair,	Leach,	Sprague,	
Brotherson,	Moran,	Wakeman,	
Cook,	Palmer,	Walker,	
Edmunds,	Patterson,	Webster,	
Glen,	Peck,	Wing,	
Hand,	Pierce,		23

NAYS.

Mr. C. Baldwin,	Mr. Hollister,	Mr. Noble,	
Barbour,	Kennedy,	O'Malley,	
Barrett,	Leland,	Ord,	
Chubb,	T. Lewis,	Parsons,	
Giddings,	W. Lewis,	Sweeney,	
Groves,	McDonald,	Speaker,	18

Mr. Peck moved a reconsideration of the last vote.

Mr. Ord moved to lay the motion to reconsider on the table, which motion was lost.

Mr. Ord moved the previous question, which was sustained, and the main question was ordered to be now put.

The main question, being on the reconsideration of the vote by which the bill was lost, was then put, and decided in the affirmative, by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Patterson,	
Andrews,	Groves,	Peck,	
C. Baldwin,	Hand,	Pierce,	
Barbour,	Hawley,	Rice,	
Barrett,	Hazelton,	Sanborn,	
Blair,	Leland,	Sprague,	
Brotherson,	McDonald,	Sweeney,	
Cole,	Moran,	Wakeman,	
Cook,	Noble,	Walker,	
Davis,	O'Malley,	Webster,	
Edmunds,	Palmer,	Wing,	33

NAYS.

Mr. Chubb,	Mr. T. Lewis,	Mr. Ord,	
Giddings,	W. Lewis,	Speaker,	
Kennedy,			7

The question then recurring on the passage of the bill, it was passed by a two thirds vote, as follows:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Peck,	
Andrews,	Hawley,	Pierce,	
Barrett,	Hazleton,	Rice,	
Blair,	Leland,	Sanborn,	
Brotherson,	McDonald,	Sprague,	
Cole,	Moran,	Sweeney,	
Cook,	Noble,	Wakeman,	
Davis,	O'Malley,	Walker,	
Edmunds,	Palmer,	Webster,	
Glen,	Patterson,	Wing,	
Groves,			31

NAYS.

Mr. C. Baldwin,	Mr. Giddings,	Mr. W. Lewis,	
Barbour,	Kennedy,	Ord,	
Chubb,	T. Lewis,	Speaker,	9

On motion of Mr. Moran, the House adjourned.

Wednesday, April 15, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. A. C. Baldwin, Jones, Morse, Scott and Ten Eyck were absent on leave, and Messrs. Ames, Dunham, Edmunds, Leach, T. Lewis, Moran, Sanborn and Toll, were absent without leave.

The journal of yesterday was read and approved.

Mr. Peck presented the claims of Hall and Mooney, and James Benneworth; referred to the committee on claims.

REPORTS.

Mr. Patterson, from the committee on ways and means, reported a 'bill to amend an act to provide for the sale of certain unsold state tax lands, and for other purposes, approved February 17, 1846;'—which was read twice and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the bill as correctly engrossed; and,

On motion of Mr. Patterson, the rule was suspended, and the bill read the third time and passed.

Mr. Dunham from the committee on claims, reported a 'joint resolution relative to the claims of Ja's Sanders, S. P. Hodges, and M. Y. Terrill,' which was read twice and referred to the committee of the whole.

Mr. Hawley from the committee on banks and incorporations, reported a 'bill to amend an act entitled an act to incorporate the village of Jackson, approved March 7, 1843, and the act amendatory thereof, approved February 20, 1844,' which was read twice, and referred to the committee of the whole.

Mr. Hawley from the same committee, reported a 'bill to amend an act entitled an act to incorporate the village of Allegan, approved March 20, 1838,' which was read twice and referred to the committee of the whole.

Mr. Hawley, from the same committee, also reported back without amendment, the Senate 'bill to incorporate the Owasso and Saginaw navigation company, and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Mr. Hawley, from the same committee reported back the Senate "bill in regard to the Erie and Kalamazoo Railroad Company," without amendment, and the bill was referred to the committee of the whole:

Mr. Noble from the committee on the judiciary, reported a "bill to authorize and confirm the partition of certain lands held by the state of Michigan in common with Lewis Cass, and others," which was read twice, and referred to the committee of the whole.

Also, reported back, without amendment, the Senate "bill to authorize Corydon P. Benton, executor of the last will and testament of Daniel Davidson, deceased, to compromise a certain claim,' and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Also, reported a "bill to authorize James Burroughs to erect a dam across Flat river, in the county of Kent," which was read twice and referred to the committee of the whole.

Also, reported a "bill to confirm the official acts of E. Smith Lee, and for other purposes," which was read twice, and referred to the committee of the whole.

Also, reported back the petition of officers of the Lyceum of Ingham county, asking for the association a charter of incorporation, and recommend that the petition be referred to the committee on banks and incorporations.

The report was accepted, and the petition laid on the table.

Also, reported back the memorials of citizens of Wayne, Washtenaw and Jackson counties, asking the abolition of the district court, and reported that as the matter was provided for by the revision, no further legislative action was necessary.

The report was accepted and the petitions laid on the table.

Also reported back without amendment, the Senate "bill to authorize Mary Vail and Ellen Vail to convey certain real estate," and recommended that it do not pass.

The report was accepted, and

On motion of Mr. Hazelton,

The bill was referred to the committee of the whole.

Also reported back the petition of Almira Bocraw, asking authority to convey certain lands, and reported adverse to any legislative action thereon.

The report was accepted, and

On motion of Mr. Edmunds,

The petitioner had leave to withdraw her papers from the files of the House.

Also reported back the petition of Antoine Dequindre, asking for authority to exchange certain property with a minor, and reported adverse to the prayer of the petition.

The report was accepted and the petition laid on the table.

Also reported back the petition of the guardian of the heirs of Theron Skeel, for authority to sell certain real estate, and reported adverse to the prayer of the petition.

The report was accepted and the petition laid on the table.

Also reported back without amendment, the "bill to authorize Wm. Laird and Sarah Bliss to execute a mortgage upon certain land in St Joseph county," and recommended that it do not pass.

The report was accepted, and

On motion of Mr. Hazelton,

The bill was referred to the committee of the whole.

Mr. Hawley, from the committee on banks and incorporations, reported back the petition of fourteen supervisors of Cass county, asking the incorporation of the Cass county agricultural exporting company, and reported adverse to the prayer of the petition.

The report was accepted and the petition laid on the table.

Also, reported back the petition of S. W. Foster and others, of Washtenaw county, against the administering of extra judicial oaths, and also against the chartering of secret societies under the name of library, religious, literary or benevolent associations, and reported adverse to any legislative action thereon.

The report was accepted, and the petition was laid on the table.

Mr. Noble, from the committee on the judiciary, reported back the petition of citizens of Ann Arbor, asking an alteration in the judiciary system, and the petition was laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,
April 15, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title V of the revision, and to inform you that the Senate have passed the same to a third reading and adopted a substitute therefor, in which the concurrence of the House is respectfully asked.

Also, to return title XVIII, and to respectfully inform you that the Senate have passed the same to a third reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Also, to return the "bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company, approved March 12, 1844," and to respectfully inform you that the Senate have passed the same.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

The "bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company, approved March 12, 1844," was ordered to be enrolled.

The Senate amendments to title XVIII of the proposed revision were severally non-concurred in by the House.

Title V of the proposed revision was then taken up, and the question being on concurring in the Senate amendment, being a substitute therefor, it was non-concurred in by yeas and nays as follows:

YEAS.

Mr. Barbour,	Mr. Groves,	Mr. O'Malley,	
Cook,	Hand,	Patterson,	
Dunham,	W. Lewis,	Sweeney,	
Glen,	Moran,	Toll,	
Graham,	Noble,		14

NAYS.

Mr. Andrews,	Mr. Hazelton,	Mr. Ransom,	
C. Baldwin,	Hollister,	Rice,	
Barrett,	Kennedy,	Sanborn,	
Blair,	Leland,	Sprague,	
Brotherson,	Leuch,	Thomas,	
Chubb,	Ord,	Wakeman,	
Cole,	Palmer,	Walker,	

Davis,	Parsons,	Webster,	
Edmunds,	Peck,	Wing,	
Giddings,	Pierce,	Speaker,	30

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hazleton asked and obtained leave of absence for Mr. T. Lewis for an indefinite time, on account of sickness in his family.

Mr. Hazleton, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Flint River and Saginaw Navigation Company," which was read twice and referred to the committee of the whole.

Mr. Pierce gave notice that on some future day he should ask leave to introduce a bill for the relief of certain purchasers of village lots in the village of Lima, Washtenaw county.

Mr. Wakeman gave notice that on some future day he should ask leave to introduce a bill to incorporate the Grand River Valley Railroad Company.

On motion of Mr. Cook,

The "bill to provide for laying out and establishing certain state roads in the county of Hillsdale," together with the Senate amendment thereto, was taken from the table.

Mr. Giddings gave notice that he should on some future day, ask leave to introduce a bill to provide for the alteration of a certain state road.

Mr. Blair gave notice that on some future day he should ask leave to introduce a bill to authorize guardian of the heirs of Theron Skeel to convey certain real estate.

Mr. O'Malley, pursuant to previous notice, asked and obtained leave to introduce a "bill to authorize Sandy MacLeod to build a dam across the Sheboygan river, in the county of Sheboygan," which was read twice and referred to the committee of the whole.

Mr. Peck gave notice that on some future day he should ask leave to introduce a bill to legalize the collection and return of certain taxes for the year 1845, made by deputy sheriffs.

Mr. Edmunds gave notice that on some future day he should ask leave to introduce a bill to authorize William Force to convey certain real estate; and

Also, a bill to authorize Almira Bocraw to convey certain real estate.

On motion of Mr. Peck, titles XVII and XIX of the proposed revision, together with the amendments made in committee of the whole, were taken from the table.

On motion of Mr. Peck, the motion to reconsider the vote by which the House insisted on their amendments to the "bill declaratory of the interests of the state of Michigan in mines and minerals," was taken from the table.

UNFINISHED BUSINESS.

The House took up the "bill declaratory of the interests of the state of Michigan in mines and minerals," and the question being on reconsidering the vote by which the House insisted on their amendments to the bill,

Mr. Peck withdrew the motion to reconsider, and moved the appointment of a committee of conference on the part of the House, on the disagreement between the two houses on the bill, which motion prevailed; and the Speaker appointed as such committee, Messrs. Peck, Ames and Brotherson.

The 'bill to provide for laying out and establishing certain state roads in the county of Hillsdale,' was taken up, and the Senate amendment, being a substitute therefor, was concurred in, and the bill as amended ordered to be enrolled.

On motion of Mr. Hand, title XVII of the proposed revision, was laid on the table.

Title XIX of the proposed revision was then taken up, and the amendments made in committee of the whole were severally concurred in, and the title ordered to be engrossed and read the third time.

On motion of Mr. Wakeman, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, was called to order by the Speaker, and resolved itself into committee of the whole on the general order, Mr. Peck in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back to the House without amendment, a "bill to authorize Corydon P. Benton, executor of the last will and testament of Daniel Davidson, deceased, to compromise a certain claim;"

A "bill to authorize William Laird and Sarah Bliss, to execute a mortgage upon certain land in St. Joseph county;"

A 'bill to authorize Sandy MacLeod to build a dam across the Sheboygan river in the county of Sheboygan;'

A 'bill to authorize Mary Vail and Ellen Vail to convey certain real estate;'

A 'bill to amend an act entitled an actto incorporate the village of Jackson, approved March 7, 1843, and the act amendatory thereof, approved February 20 1844;'

A 'joint resolution relative to the claims of James Sanders, S. P. Hodges, M. Y. Terrill;' and

A 'bill to incorporate the Owasso and Saginaw navigation Company.'

Also reported back with sundry amendments, in which the concurrence of the House was asked, a 'bill to authorize and confirm the partition of certain lands held by the state of Michigan, in common with Lewis Cass and others;'

A 'bill in regard to the Erie and Kalamazoo Rail-road company;'

A 'bill to confirm the official acts of E. Smith Lee, and for other purposes;'

A 'bill to incorporate the Flint river and Saginaw navigation company;' and,

A 'bill to repeal an act to provide for the draining of swamps, marshes and other low lands, approved April 18, 1839.'

The 'joint resolution relative to the claims of James Sanders, S. P. Hodges, and M. Y. Terrill;"

The 'bill to authorize Wm. Laird and Sarah Bliss to execute a mortgage upon certain land in St. Joseph county;'

The 'bill to authorize Sandy McLeod to build a dam across Sheboygan river, in the county of Sheboygan:' and,

The 'bill to amend an act entitled an act to incorporate the village of Jackson, approved March 7, 1843, and the acts amendatory thereof, approved February 20, 1844,' were severally ordered to be engrossed and read the third time.

The 'bill to authorize Mary Vail and Ellen Vail to convey certain real estate;' and,

The 'bill to authorize Corydon P. Benton, executor of the last will and testament of Daniel Davidson, deceased, to compromise a certain claim,' were severally ordered to a third reading.

The amendments to the 'bill to authorize and confirm the partition of certain lands held by the State of Michigan, in common with Lewis Cass and others,' were concurred in, and the bill ordered to be engrossed for a third reading.

The amendment to the 'bill to confirm the official acts of E. Smith Lee, and for other purposes,' was concurred in, and the bill ordered to be engrossed for a third reading.

The amendments to the 'bill to repeal an an act to provide for the draining of swamps, marshes, and other low lands, approved April 18, 1839,' were severally concurred in.

On motion of Mr. C. Baldwin, the bill was amended by striking out all of the same, except the repealing clause.

Mr. Rice moved to reconsider the vote by which the bill was all stricken out except the repealing clause.

Mr. Edmunds moved to lay the motion to reconsider on the table, which motion was lost.

Tho question recurring on the motion to reconsider, it prevailed by the following vote:

YEAS.

Mr. Barbour,	Mr. W. Lewis,	Mr. Sprague,	
Brotherson,	Leland,	Sweeney,	
Cole,	McDonald,	Wakeman,	
Davis,	Palmer,	Walker,	
Edmunds,	Patterson,	Webster,	
Hand,	Ransom,	Wing,	
Hazleton,	Rice,	Speaker,	
Kennedy,			22

NAYS.

Mr. C. Baldwin,	Mr. Glen,	Mr. Moran,	
Barrett,	Groves,	Parsons,	
Chubb,	Hawley,	Peck,	
Cook,	Hollister,	Pierce,	
Giddings,			13

On motion of Mr. Rice, the bill was laid on the table.

The 'bill to incorporate the Owasso and Saginaw navigation company,' was ordered to a third reading.

The amendments to the 'bill to incorporate the Flint river and Saginaw navigation company,' were concurred in, and the bill ordered to be engrossed and read the third time.

The amendments to the 'bill in regard to the Erie and Kalamazoo Railroad company,' were concurred in.

Mr. C. Baldwin moved to strike out of section five, the words 'by a vote of two thirds of each House,' which motion was lost by yeas and nays as follows:

YEAS.

Mr. C. Baldwin,	Mr. Hand,	Mr. Pierce,	
Barbour,	Hollister,	Sprague,	
Cook,	Kennedy,	Wing,	
Glen,	Peck,	Speaker,	
Groves,			13

NAYS.

Mr. Barrett,	Mr. Giddings,	Mr. Palmer,	
Brotherson,	Hazelton,	Patterson,	
Chubb,	Leland,	Rice,	
Cole,	W. Lewis,	Sweeney,	
Davis,	McDonald,	Wakeman,	
Dunham,	Moran,	Walker,	
Edmunds,	Noble,	Webster,	21

Mr. Glen moved to add the following section to the bill:

"Section —. This act shall take effect and be in force from and after the expiration of thirty days from the taking effect of an act entitled 'an act to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad company,' and not before or otherwise."

Which motion prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Hand,	Mr. Ransom,	
C. Baldwin,	Hollister,	Toll,	
Barbour,	Moran,	Wakeman,	
Cook,	Noble,	Walker,	
Davis,	Parsons,	Wing,	
Glen,	Peck,	Speaker,	
Groves,	Pierce,		20

NAYS.

Mr. Barrett,	Mr. Hawley,	Mr. Palmer,	
Brotherson,	Hazleton,	Patterson.	
Chubb,	Kennedy,	Rice,	
Cole,	Leland	Sprague,	
Edmunds,	W. Lewis,	Sweeney,	
Giddings,	McDonald,		17

Mr. Hand moved to amend the bill by adding the following section:

Sec. —. The said company shall pay to the state an annual tax of three fourths of one per cent. upon its capital stock paid in, and also upon all loans made to said company, for the purpose of construc-

ting said Railroad, which tax shall be paid in the last week in January in each year, to the state treasurer, and the property and effects of said company, whether real, personal or mixed, shall, in consideration thereof, be exempt from all and every other tax, charge and exaction, by virtue of any laws of this state now or hereafter to be in force, except penalties by this act imposed.

Mr. Patterson moved to amend the amendment by striking out the words "three fourths" and insert "one half."

Pending which,

On motion of Mr. Chubb,

The bill was laid on the table.

Mr. Brotherson, from the committee on engrossment and enrollment, reported as correctly engrossed,

A "bill to authorize William Laird and Sarah Bliss to execute a mortgage upon certain land in St. Joseph county;"

A "bill to amend an act entitled an act to incorporate the village of Jackson, approved March 7, 1843, and the acts amendatory thereof, approved February 20, 1844;"

A "bill to confirm the official acts of E. Smith Lee, and for other purposes;"

A "bill to confirm the partition of lands owned by Lewis Cass and others in common with the state of Michigan;" and

Title XIX of the proposed revision.

On motion of Mr. Leland, the House adjourned.

Thursday, April 16, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called and Messrs. A. C. Baldwin, Jones, T. Lewis, Morse, Scott, and Ten Eyck were absent on leave, and Messrs. Andrews, Brotherson, Ord, and Toll were absent without leave.

The journal of yesterday was read and approved.

Mr. Edmunds asked and obtained leave of absence for Mr. Brotherson for an indefinite time.

Mr. Hazleton for Mr. Ames for the day.

PETITIONS PRESENTED.

By Mr. Sanborn, of citizens of Lapeer, for the incorporation of a company to construct a railroad from Pontiac to Lapeer; referred to the committee on banks and incorporations.

By Mr. Glen, of A. J. Dunbar for authority to convey certain real estate; referred to the committee on the judiciary.

Also, of C. Dana, for the same purpose; same reference.

REPORTS.

Mr. Dunham, from the committee on claims, reported back the claims of Hall & Mooney, and James Benneworth, and recommended that the claims be referred to the committee on ways and means, with instructions to incorporate the same in the appropriation bill.

The report was accepted, and the claims referred with the instructions.

Mr. Hand from the committee on the judiciary, reported a "bill amendatory of the several acts touching licenses," which was read twice, and referred to the committee of the whole.

Mr. Ord from the committee on engrossment and enrollment, reported the "bill to incorporate the Saginaw navigation company," as correctly engrossed.

Mr. Hawley from the committee on banks and incorporations, reported a "bill to repeal the charter of the village of Marshall," which was read twice, and referred to the committee of the whole.

Also, reported back the Senate "bill to incorporate the Grand Rapids canal and hydraulic company," and the bill was referred to the committee of the whole.

The following communications were received from the Governor:

EXECUTIVE OFFICE,
Detroit, April 11, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, "an act concerning returns of delinquent taxes of eighteen hundred and forty-five, from the county of Berrien."

Also, "an act to authorize the commissioners of highways for the township of Manchester, in Washtenaw county, to discontinue and relocate a portion of the Clinton road."

ALPHEUS FELCH.

EXECUTIVE OFFICE,
Detroit, April 15, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, "an act to authorize the re-survey of the territorial road from the village of Lapeer, to the village of Rochester."

Also, "an act to establish a state road from the village of Almont, in the county of Lapeer to Port Huron, in St. Clair county."

Also, "an act to amend an act entitled an act to incorporate the Gibraltar and Flat Rock company."

ALPHEUS FELCH.

A communication bearing date of April 15, 1846, was received from the acting commissioner of internal improvement, covering a copy of the lease called for by a resolution of this House, adopted on the fourteenth instant, and

On motion of Mr. Walker, the communication and accompanying document, were laid on the table.

The following communication was received from the revisor of the laws, and the accompanying document was referred to the committee on the judiciary:

Detroit, April 16, 1846.

HON. ISAAC E. CRARY,

Speaker of the House of Representatives:

SIR—I have the honor herewith to transmit to the House of Representatives that portion of the proposed revision of the statutes not heretofore reported, embracing titles 30, 31 and 32.

Very respectfully,
Your obedient servant,
S. M. GREEN.

The following communication was received from the Senate:

SENATE CHAMBER,
Detroit, April 15, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return Title XI of the revision, and to respectfully inform you that the Senate insist upon their fifth, fifteenth, seventeenth and eighteenth amendments, have receded from the sixth amendment, and have concurred in the House amendment to the seventh Senate amendment to said title.

Also, to return the "bill to provide for the re-assessment of certain taxes in the township of Stockbridge, in the county of Ingham, and also in the township of Woodstock, Lenawee county," which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also, to return the "bill to incorporate the Port Huron and Lake Michigan Railroad company," and to respectfully inform you that the Senate have receded from their amendments thereto.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

The 'bill to incorporate the Port Huron and Lake Michigan Railroad company,' was ordered to be enrolled.

The Senate amendments to the 'bill to provide for the re-assessment of certain taxes in the township of Stockbridge, in the county of Ingham, and also in the township of Woodstock, Lenawee county,' were concurred in, and the bill as amended, was ordered to be enrolled.

Title XI of the proposed revision, was taken up, and the House receded from their disagreement to the fifth and fifteenth Senate amendments thereto, and concurred in said amendments, and also insisted on their disagreement to the seventeenth and eighteenth Senate amendments thereto.

On motion of Mr. Walker,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on title XI, and the Speaker appointed as such committee, Messrs. Walker, Hand and Edmunds.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 15, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that Senators Howell, Littlejohn and Videto have been appointed a committee of conference on the part of the Senate, on the disagreement between the two Houses, upon the "bill declaratory of the interests of the state of Michigan in mines and minerals."

Also to inform you that the Senate insist upon their amendments

to title V of the revision, and that Senators Hale, Green and Chipmon have been appointed a committee of conference on the part of the Senate on the disagreement between the Houses upon said title, and to respectfully ask the appointment of a like committee on the part of the House.

Also to inform you that the Senate insist upon their amendments to title XVIII of the revision, and that Senators Smith, Thurber and Green have been appointed a committee of conference on the part of the Senate on the disagreement between the two Houses, and to respectfully ask the appointment of a like committee on the part of the House.

Your obedient servant,

JAMES E. PLATT,

Secretary of Senate.

The House insisted on their disagreement to the Senate amendment to title V of the proposed revision, and

On motion of Mr. Walker,

A committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on said title.

The Speaker appointed as such committee, Messrs. Walker, Ransom and Groves.

The House insisted on their disagreement to the Senate amendments to title XVIII of the proposed revision, and

On motion of Mr. Hand,

A committee of conference was ordered to be appointed on the disagreement between the two Houses on said title.

The Speaker appointed as such committee Messrs. Hand, Hazelton and C. Baldwin.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Barbour,

The "bill to provide for the completion of the Central Rail Road from Jackson to Kalamazoo," was taken from the table.

On motion of Mr. Groves,

The "bill to re-attach certain towns to the county of Lapeer," was taken from the table.

Mr. Edmunds, pursuant to previous notice, asked and obtained leave

to introduce a 'bill to authorize Almira Bocraw to convey certain real estate," and

A "bill to authorize William Force to convey certain real estate," which bills were read twice and referred to the committee of the whole.

On motion of Mr. Walker,

The 'joint resolution relative to leasing the Clinton and Kalamazoo canal,' was taken from the table.

Mr. Blair, pursuant to previous notice asked and obtained leave to introduce a "bill to authorize the guardian of the heirs of Theron Skeel to sell certain real estate in the state of Michigan," which was read twice and referred to committee of the whole.

Also, pursuant to previous notice, asked and obtained leave to introduce a 'bill to provide for the public printing, and for other purposes,' which was read twice, referred to the committee of the whole, and ordered to be printed.

Mr. Webster asked and obtained the unanimous consent of the House, previous notice not having been given, to introduce a 'joint resolution proposing certain amendments to the constitution of the state of Michigan,' which was read twice, and,

On motion of Mr. Blair,

Laid on the table and ordered to be printed,

On motion of Mr. Ransom,

Title XVII of the proposed revision was taken from the table.

Mr. McDonald gave notice that on some future day he should ask leave to introduce a 'bill to authorize Louisa M. Skinner, a minor, to convey certain real estate.'

THIRD READING OF BILLS.

Title XIX of the proposed revision was read the third time.

The following bills were severally read the third time and passed:

A 'bill to confirm the official acts of E. Smith Lee, and for other purposes;'

A 'bill to confirm the partition of lands owned by Lewis Cass and others, in common with the State of Michigan;'

A 'bill to authorize Mary Vail and Ellen Vail to convey certain real estate;'

A 'bill to authorize William Laird and Sarah Bliss to execute a mortgage upon certain land in St. Joseph county;' and,

A 'bill to authorize Corydon P. Benton, executor of the last will and testament of Daniel Davidson, deceased, to compromise a certain claim;'

The 'bill to amend an act entitled an act to incorporate the village of Jackson, approved March 7, 1843, and the act amendatory thereof, approved February 20, 1844,' was read the third time and passed by a two-thirds vote as follows:

YEAS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Peck,	
Barbour	Hazleton,	Pierce,	
Barret,	Kennedy,	Ransom,	
Blair,	Leland,	Rice,	
Chubb,	Leach,	Sanborn,	
Cole,	W. Lewis,	Sprague,	
Davis,	McDonald,	Sweeney,	
Edmunds,	Moran,	Wakeman,	
Giddings,	O'Malley,	Walker,	
Glen,	Ord,	Speaker,	
Hand,	Patterson,		32

NAYS.

Mr. Graham,	Mr. Groves,	Mr. Toll,	3

The 'bill to incorporate the Owasso and Saginaw navigation company,' was read the third time, and,

On motion of Mr. Hazelton, laid on the table.

The 'bill to incorporpate the Flint River and Saginaw navigation company,' was read the third time, when,

Mr. Hazelton asked and obtained the unanimous consent of the House to amend the bill as follows:

Strike out the third section of the bill, and insert, 'said corporation hereby created, shall have power, and are hereby authorized to enter upon the river Flint, and upon the lands on either side, and to use the rocks, stones, gravel or earth which may be found thereon, in the construction of their works, first giving notice to the owner or occupiers of the land, and to form and make, erect and set up, any dams, locks or any other device whatever, which they shall think most fit and convenient to make a complete slack water navigation between the points hereinafter mentioned, to wit: From the village of Flint, in the county of Genesee, to and down said river to a point where the Shiawassee intersects the Flint.

And add a new section as follows:

Sec. 23. The legislature may at any time hereafter amend or repeal this act by a vote of two-thirds of the members of each house.

Mr. Hand asked and obtained the unanimous consent of the House to amend the bill by adding a new section as follows:

Sec. —. The legislature may at any time impose a specific state tax upon the property of said company, in lieu of all other taxes;—such tax never to exceed three-fourths of one per cent per annum.

The bill was then passed by a two thirds vote, as follows:

YEAS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Peck,
Barbour,	Hazleton,	Pierce,
Barrett,	Hollister,	Ransom,
Chubb,	Kennedy,	Rice,
Cole,	Leach,	Sanborn,
Davis,	W. Lewis,	Sprague,
Dunham,	McDonald	Sweeney,
Edmunds,	Moran,	Wakeman,
Giddings,	O'Malley,	Walker,
Glen,	Palmer,	Webster,
Hand,	Patterson,	

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Tell,	
Cook,	Groves,	Speaker,	6

Mr. Palmer, from the committee on engrossment and enrollment, reported the "bill authorizing Sandy McLeod to build a dam across the Sheboygan river, in the county of Sheboygan," as correctly engrossed.

On motion of Mr. Webster, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The 'bill to authorize Sandy McLeod to build a dam across Sheboygan river, in the county of Sheboygan,' was read the third time and passed.

UNFINISHED BUSINESS.

The House then took up the 'bill to provide for the completion of the Central Railroad from Jackson to Kalamazoo,' and the question being on concurring in the Senate amendment, it was

On motion of Mr. Barbour, amended by striking out therefrom section two, and the amendment as amended was then concurred in.

The 'bill to re-attach certain towns to the county of Lapeer,' came up among the unfinished business, and the question being on ordering the bill to be engrossed and read the third time, it prevailed.

The 'joint resolution relative to leasing the Clinton and Kalamazoo canal,' came up among the unfinished business, and the question being on the following amendment, it prevailed, viz.

Insert after the word 'persons' the words 'a reasonable remuneration;' and insert after the word 'canal,' the words 'to be determined by appraisal, deducting such sum as shall be reasonable for the use of the same.'

The joint resolution was then ordered to be engrossed and read the third time.

Title XVII of the proposed revision came up among the unfinished business, and the question being on adopting the following amendment, it was adopted, viz:

Add the following proviso to section eight of chapter seventy two:

"Provided, however, That the probate court shall not be obliged to appoint commissioners as required by the first section of this chapter, and in case commissioners be not appointed, said court shall have the same authority and perform the same duties as herein prescribed respecting commissioners and all other provisions herein shall apply to proceedings in the probate court."

The title was then ordered to be engrossed and read the third time.

On motion of Mr. Rice, the 'bill in regard to the Erie and Kalamazoo railroad company,' was taken from the table, and the question being on striking out the words 'three fourths' in the amendment offered yesterday by Mr. Hand, and inserting 'one half,' it prevailed, and the amendment as amended, was then adopted.

On motion of Mr. Peck, the bill was then laid upon the table.

The House then resolved itself into committee of the whole on the general order, Mr. C. Baldwin in the chair.

After some time spent thereon, the committee rose and by their chairman, reported back to the House without amendment,

A 'bill to repeal the charter of the village of Marshall;'

A 'bill to authorize Almira Bocraw to convey certain real estate;'

A 'bill to authorize William Force to convey certain real estate;'

A 'bill to authorize the guardian of the heirs of Theron Skeel to sell certain real estate, in the state of Michigan," and

A 'bill to amend an act entitled an act to incorporate the village of Allegan, approved March 20, 1838."

Also reported back, with an amendment, in which the concurrence of the House was asked, a 'bill amendatory of the several acts touching licenses;'

The "bill to authorize William Force to convey certain real estate;"

The "bill to authorize Almira Bocraw to convey certain real estate;"

The "bill to authorize the guardian of the heirs of Theron Skeel to convey certain real estate in the state of Michigan;" and

The "bill to amend an act entitled an act to incorporate the village of Allegan, approved March 20, 1838," were severally ordered to be engrossed and read the third time.

On motion of Mr. Barbour, the "bill to repeal the charter of the village of Marshall," was laid on the table.

The amendment, striking out all after the enacting clause of the "bill amendatory of the several acts touching licenses," was nonconcurred in by the following vote:

YEAS.

Mr. Barrett,	Mr. W. Lewis,	Mr. Walker,	
Davis,	McDonald,	Webster,	
Giddings,	Moran,	Wing,	
Hollister,	Ord,	Speaker,	
Leach,	Palmer,		17

NAYS.

Mr. C. Baldwin,	Mr. Hand,	Peck,	
Barbour,	Hawley,	Pierce,	
Blair,	Hazleton	Ransom,	
Chubb,	Kennedy,	Rice,	
Cook,	Leland,	Sanborn,	
Dunham,	Noble,	Sprague	
Edmunds,	O'Mulley,	Wakeman,	
Groves,	Patterson,		23

On motion of Mr. Edmunds, the bill was laid on the table, and ordered to be printed.

Mr. Hawley from the committee on banks and incorporations, by unanimous consent, reported a "bill to incorporate the Kalamazoo river railroad company," and a "bill to incorporate the Kalamazoo and Grand Rapids railroad company," which were severally read twice, and referred to the committee of the whole.

Mr. Patterson offered the following resolution:

Resolved, That the committee on banks and incorporations be instructed to report to this House the probable amount of capital required to construct and complete the various works contemplated by the several acts of incorporation applied for at this session..

On motion of Mr. Edmunds, the resolution was amended, by striking out the words "banks and incorporations" and inserting "ways and means," and the resolution as amended, was then adopted.

Mr. Peck, from the committee of conference, made the following report, which was accepted:

The committee of conference, appointed upon the disagreement of the two Houses upon the bill declaratory of the interest of Michigan in mines and minerals, &c., having considered the same, have directed a report thereon, recommending that the House do recede from its amendments to section two of said bill, excepting the proviso, and that said proviso be amended so as to read as follows:

"Provided, That this act shall not be construed to effect any rights already acquired or held by individuals from or under the permits or leases of the United States, whenever such leases shall prove to be upon lands now owned or hereafter to become the property of the state."

The committee also recommend that the House recede from the amendment to section four of said bill, but that a proviso be added to said section, as follows:

"Provided that the specific tax upon the product of iron mines shall not exceed two per cent."

The report of the committee was concurred in.

On motion of Mr. Hand,

The House adjourned.

Frday, April 17, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. A. C. Baldwin, Brotherson, Cook, Hand, Jones, T. Lewis, Morse, Noble, Scott and Ten Eyck, were

absent on leave, and Messrs. Ames, Andrews, Graham, Hollister, Ord and Peck were absent without leave.

Mr. Walker asked and obtained leave of absence for Mr. Ames for the day.

The journal of yesterday was read and approved.

REPORTS.

Mr. Palmer, from the committee on engrossment and enrollment, reported the following bills and joint resolutions as correctly engrossed.

A 'bill to amend an act entitled an act to incorporate the village of Allegan, approved March 20, 1838;'

A 'bill to authorize Philip Dater, guardian of the infant children of Theron Skeel, deceased, to sell and convey lands in Michigan;'

A 'bill to authorize Almira Bocraw to convey certain real estate;'

A 'bill to authorize William Force to convey certain real estate;'

A 'bill to attach certain towns to the county of Lapeer;'

A 'joint resolution relative to leasing the Clinton and Kalamazoo canal;' and,

A 'joint resolution relative to the claims of James Sanders, S. P. Hodges and M. Y. Turrill.'

Mr. Chubb, from the select committee to whom was referred the 'bill to amend the charter of the village of Ann Arbor,' reported the bill back with sundry amendments; and the bill was referred to the committee of the whole.

Mr. Walker from the committee of conference on the part of the House on the disagreement between the two houses upon title V of the proposed revision, made a report which was placed among the unfinished business.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the "bill to lay out two several state roads, one commencing at Hastings, in Barry county, running to Ada, in Kent county; the other commencing in the town of Boston, running to Grand Rapids by the way of Cascade in Kent county," and respectfully inform you that the Senate have passed the same.

Also, to return the "bill to authorize Lydia Ann Storm to convey

certain real estate, and to respectfully inform you that the Senate have non-concurred therein.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The "bill to provide for the laying out of certain state roads," was ordered to be enrolled.

The following communication was announced:

SENATE CHAMBER,
April 17, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title XXI of the revision and to inform you that the Senate have passed the same to a third reading, and adopted the substitute therefor in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of Senate.

Mr. Peck moved that title XXI of the proposed revision be referred to a select committee, to examine it, and recommend to the House a concurrence in such of the amendments to said title made by the Senate as they shall deem best, and to recommend a non-concurrence in such of said amendments as they shall deem proper, and recommend such substitute for the amendments to be non-concurred in as they shall deem proper, with instructions to enquire into and report as to the expediency of so amending the title as to provide:

1st. For the abolition of the court of chancery.

2d. For the organization of the supreme and the circuit courts, as reported by the judiciary committee of the House, giving the circuit courts original and exclusive jurisdiction of all cases in equity, in all civil cases at law, when the amount in dispute exceeds the sum of $500, and in all criminal cases not cognizable by justices of the peace; making the circuit judge a vice chancellor and clerk of the circuit a register in chancery; and providing that each case in equity shall be tried in the circuit where one of the parties reside, or the property in dispute may be.

3d. For the organization of a county court, to consist of one judge,

elected by the people of each county, to hold his office for the term of four years, who shall have original and exclusive jurisdiction of all civil cases over $100, and up to $500, and appellate jurisdiction of all cases from justices of the peace, with jurisdiction to try all civil cases by consent of parties—the practice of the court to conform as near as may be to that of justices' courts as heretofore adopted by the House.

For the organization of courts of justices of the peace, courts of probate, as heretofore adopted by the House—and of such other amendments to said title as may be necessary to perfect a system on these bases.

This motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Peck,	
Barbour,	Hollister,	Sprague,	
Cook,	W. Lewis,	Sweeney,	
Dunham,	Noble	Toll,	
Glen,	O'Malley,	Walker,	
Graham,	Patterson,	Speaker,	18

NAYS.

Mr. C. Baldwin,	Mr. Hazleton,	Mr. Pierce,	
Blair,	Kennedy,	Ransom,	
Chubb,	Leland,	Sanborn,	
Cole,	Leach,	Thomas,	
Davis,	McDonald,	Wakeman,	
Edmunds,	Moran,	Webster,	
Giddings,	Palmer,	Wing,	
Groves,	Parsons,		23

Mr. Peck moved to lay the whole subject on the table, which motion was lost.

After some debate, Mr. Walker moved to lay the title and substitute on the table, which motion was lost by the following vote:

YEAS.

Mr. C. Baldwin,	Glen,	Mr. Peck,	
Barbour,	Graham,	Sprague,	
Barrett,	Hand,	Sweeney,	
Cole,	Hollister,	Toll,	
Cook,	Noble,	Walker,	
Dunham,	O'Malley,	Speaker,	18

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr. Pierce,	
Blair,	Leland,	Ransom,	
Chubb,	Leach,	Rice,	
Davis,	W. Lewis,	Sanborn,	

Edmunds,	McDonald,	Thomas,	
Giddings,	Parsons,	Wakeman,	
Groves,	Patterson,	Webster,	
Hawley,	Palmer,	Wing,	
Hazelton,			25

Mr. Hazleton moved to reconsider the vote by which the House refused to commit the title and substitute to a select committee with instructions, pending which,

On motion of Mr. Davis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker,

And resumed the consideration of title XXI of the proposed revision, together with the Senate substitute therefor, and the question being on reconsidering the vote by which the House this morning refused to commit the title and substitute to a select committee with instructions, it was reconsidered by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Graham,	Mr. Sprague,	
Barbour,	Groves,	Sweeney,	
Barrett,	Hand,	Thomas,	
Cole,	Hazelton,	Wakeman,	
Cook,	Hollister,	Walker,	
Davis,	W. Lewis,	Wing,	
Dunham,	Patterson,	Speaker,	
Glen,	Peck,		23

NAYS.

Mr. Blair,	Mr. Kennedy,	Mr. Parsons,	
Chubb,	Leland,	Pierce,	
Edmunds,	Leach,	Rice,	
Giddings,	Palmer,	Webster,	12

The question then recurring on the motion to recommit with the instructions sent up this morning by Mr. Peck,

Mr. Webster offered the following substitute for the instructions which substitute was rejected:

1st. To abolish the district courts and the court of chancery, and confer their powers on the supreme court, with the limitations hereinafter specified.

2d. To provide for the organization of the supreme and circuit courts, as now established by law, with the original jurisdiction in all

civil cases in law and equity, above five hundred dollars; and in all criminal proceedings not cognisable by justices.

3. Make the justice of each circuit a vice chancellor, and the clerk register in chancery, for the circuit. And provide that each case in equity shall be tried in the circuit where one of the parties reside, or where the property in dispute may be situated.

4. Provide for justices' and county courts, the latter to be a court of record in each organized county, and to have original and exclusive jurisdiction in all civil cases in law and equity over one hundred and up to five hundred dollars, and appellate jurisdiction from justices of the peace, and concurrent jurisdiction with the supreme court in all civil cases in law and equity over five hundred and up to one thousand dollars, and jurisdiction to tax all civil cases with the consent of the parties; such justices' and county courts to be organized upon the plan, as near as may be with that passed the House of Representatives.

5. To provide for courts of probate and for criminal proceedings before justices of the peace.

The question again recurring on the motion to recommit with the instructions sent up by Mr. Peck,

On motion of Mr. Edmonds the whole subject was laid on the table.

The following communication was received from the Senate:

SENATE CHAMBER,
Detroit, April 17, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill to incorporate the Owasso Literary institute;"

A "bill to incorporate the Huron River Canal Company," and

A 'bill to incorporate the Pontiac and Genesee Railroad Company,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

Also, to return the 'bill to establish the county of Detroit and for other purposes,' and to respectfully inform you that the Senate have non-concurred therein.

J. E. PLATT,
Sec'y of Senate.

The 'bill to incorporate the Pontiac and Genesee railroad company;'

The 'bill to incorporate the Owasso Literary Institute;' and

The 'bill to incorporate the Huron River Canal Company,' were

severally read twice and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Barbour,

The 'bill to repeal the charter of the village of Marshall,' was taken from the table.

On motion of Mr. Davis,

Resolved, That the 'bill to provide for the settlement of the account of Daniel Williams, U. P. Smith and George W. Ketchum, for materials furnished and labor performed on the branch of the Southern rail-road during the year 1845,' be taken from the table and referred to the committee on ways and means with instructions to report upon the bill by amendment or otherwise.

Mr. Pierce, pursuant to previous notice, asked and obtained leave to introduce a 'bill for the relief of the purchasers of certain lands in the township of Lima,' which was read twice and referred to the committee of the whole.

Mr. McDonald, pursuant to previous notice, asked and obtained leave to introduce a 'bill to authorize Louisa M. Skinner to convey certain real estate,' which was read twice and referred to committee of the whole.

Mr. Hollister gave notice that on some future day he should ask leave to introduce a bill to repeal an act appropriating non-resident highway taxes on the line of the Northern Railroad, in St. Clair county.

Mr. Wakeman, pursuant to previous notice, asked and obtained leave to introduce a "bill to incorporate the Grand River Valley Rail road Company," which was read twice and referred to the committee of the whole.

Mr. Walker asked and obtained the unanimous consent of the House previous notice not having been given, to introduce a "joint resolution relative to a certain state road in the county of Macomb," which was read twice and referred to the committee of the whole.

Mr. Rice moved to take from the table the "bill in regard to the Erie and Kalamazoo rail-road company," which motion was lost, by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Leland,	Mr. Pierce,
Blair,	Leach,	Ransom,

Chubb,	McDonald,	Rice,	
Giddings,	Palmer,	Sanborn	
Hazleton,	Patterson,	Sweeney,	
Kennedy,			16

NAYS.

Mr. Andrews,	Mr. Glen,	Mr. Parsons,	
C. Baldwin,	Graham,	Peck,	
Barbour,	Groves,	Toll,	
Barrett,	Hand,	Walker,	
Cole,	Hollister,	Wing,	
Cook,	W. Lewis,	Speaker,	
Davis,			19

Mr. Hand, from the committee of conference on the part of the House on the disagreement between the two Houses on title XVIII of the proposed revision, by common consent, made a report, which was laid on the table.

Mr. Hand, from the committee on the judiciary, by common consent, reported back the petition of A. J. Dunbar, and reported adverse to the prayer of the petition,

Which report was accepted.

THIRD READING OF BILLS.

The "bill to authorize William Force to convey certain real estate," was read the third time,

And the question being on its passage, it was lost by yeas and nays as follows:

YEAS.

Mr. C. Baldwin,	Mr. Kennedy,	Mr. Ransom,	
Barbour,	W. Lewis,	Rice,	
Barrett,	Palmer,	Sanborn,	
Blair,	Parsons,	Toll,	
Edmunds,	Patterson,	Speaker,	
Giddings,	Pierce,		17

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Noble,	
A. C. Baldwin,	Groves,	Ord,	
Cole,	Hand,	Peck,	
Cook,	Hazelton,	Sweeney,	
Davis,	Hollister,	Walker,	
Dunham,	McDonald,	Wing,	
Glen,			19

The "bill to authorize Almira Brocaw to convey certain real estate," was read the third time and passed, by the following vote:

YEAS.

Mr. Andrews,	Mr. Edmunds,	Mr. Parsons,	
A. C. Baldwin,	Giddings,	Patterson.	
C. Baldwin,	Hazelton,	Pierce,	
Barbour,	Kennedy,	Ransom,	
Barrett,	Leland	Rice,	
Blair,	Leach,	Sanborn,	
Chubb,	W. Lewis,	Toll,	
Cole,	McDonald,	Walker,	24

NAYS.

Mr. Cook,	Mr. Hand,	Mr. Peck,	
Davis,	Hollister,	Sweeney,	
Dunham,	Noble,	Wakeman,	
Glen,	Ord,	Wing,	
Graham,	Palmer,	Speaker,	
Groves,			16

The 'bill to authorize Philip Dater, guardian of the infant children of Theron Skeel, deceased, to sell and convey lands in Michigan,' was read the third time, and

On motion of Mr. Blair, laid on the table.

The 'joint resolution relative to the claims of James Sanders, S. P, Hodges and M. Y. Terrill,' was read the third time and passed.

The 'joint resolution relative to leasing the Clinton and Kalamazoo canal,' was read the third time and passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Patterson,	
A. C. Baldwin,	Glen,	Peck,	
C. Baldwin,	Groves,	Pierce,	
Barbour,	Hazleton,	Sanborn,	
Barrett,	Hollister,	Sprague,	
Chubb,	Kennedy,	Sweeney,	
Cole,	Leach,	Wakeman,	
Davis,	W. Lewis,	Walker,	
Dunham,	Ord,	Wing,	27

NAYS.

Mr. Blair,	Mr. Palmer,	Mr. Rice,	
Hand,	Ransom,	Speaker,	6

The 'bill to re-attach certain towns to the county of Lapeer,' was read the third time and did not pass by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Giddings,	Mr. O'Malley,	
Blair,	Hollister,	Rice,	
Chubb,	W. Lewis,	Sanborn,	
Edmunds,			11

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. Peck,	
A. C. Baldwin,	Hazleton,	Pierce,	
Barbour,	Kennedy,	Ransom,	
Cole,	Leach,	Sprague,	
Cook,	Ord,	Sweeney,	
Davis,	Palmer,	Wakeman,	
Dunham,	Parsons,	Speaker,	
Glen,	Patterson,		23

Mr. Hazleton moved a reconsideration of the last vote, which motion was lost.

The 'bill to amend an act entitled an act to incorporate the village of Allegan, approved March 29, 1838,' was then read the third time and passed by the following vote, two thirds voting in the affirmative:

YEAS.

Mr. Andrews,	Mr. Glen,	Mr. Peck,	
A. C. Baldwin,	Groves,	Ransom,	
Barbour,	Hazelton,	Sprague,	
Blair,	Hollister,	Sweeney,	
Chubb,	Kennedy,	Wakeman,	
Cole,	W. Lewis,	Walker,	
Cook,	O'Malley,	Speaker,	
Dunham,	Patterson,		23

NAYS.

Mr. Barrett,	Mr. Hand,	Mr Parsons,	
Davis,	Leach,	Pierce,	
Edmunds,	Ord,	Rice,	
Giddings,	Palmer,		11

UNFINISHED BUSINESS.

The 'bill to repeal the charter of the village of Marshall was ordered to be engrossed and read the third time.

Title V of the proposed revision, together with the report of the committee of conference thereon, was

On motion of Mr. Hazleton, laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Pierce in the chair.

After some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration a 'joint resolution relative to a certain state road in the county of Macomb;' and a 'bill to amend the charter of the village of Ann Arbor.'

The "joint resolution relative to a certain state road in the county of Macomb," was ordered to be engrossed, and read the third time.

On motion of Mr. Dunham,

The "bill to amend the charter of the village of Ann Arbor," was recommitted to the committee of the whole.

Mr. Rice, by common consent, gave notice that on some future day he should ask leave to introduce a bill to allow Samuel Gregg, Philo Nelson, Samuel Penniman, and their associates to build a dam across Bean Creek, and construct a canal from Bean Creek to Black Creek in the county of Lenawee.

Mr. Groves asked and obtained the unanimous consent of the House, previous notice not having been given, to introduce a "bill to authorize the Governor to issue patents in certain cases,"

Which was read twice and referred to the committee of the whole.

Mr. Ord from the committee on engrossment and enrollment, reported as correctly engrossed, the "bill to repeal the charter of the village of Marshall."

On motion of Mr. Cole, the House adjourned.

Saturday, April 18, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called and Messrs. Brotherson, Jones, T. Lewis, Morse, Scott and Ten Eyck were absent on leave, and Messrs. Chubb, Edmunds, Hawley, Moran, and Sprague were absent without leave.

The journal of yesterday was read and approved.

Mr. Patterson presented the claim of H. A. Baldwin, for the use of five horses furnished for military expedition in 1835; laid on the table.

REPORTS.

Mr. Peck, from the committee on banks and incorporations, reported back without amendment, and recommended their passage, the following Senate bills, which were referred to the committee of the whole, viz:

A 'bill to incorporate the Huron River Canal Company;'

A 'bill to incorporate the Pontiac and Genesee Railroad Company,' and

A 'bill to incorporate the Owasso Literary Institute.'

Mr. Patterson, from the committee on ways and means, made the following report:

The committee on ways and means, to whom was referred the bill to provide for the payment of the account of Messrs Williams, Smith & Ketchum, with instructions to report thereon by amendment or otherwise, respectfully present the following statement of the Commissioner of Internal Improvement, with a substitute bill:

INTERNAL IMPROVEMENT OFFICE,
Detroit, April 16, 1846.

Hon. M. A. PATTERSON, *Ch'n Com. Ways and Means:*

DEAR SIR—In consequence of the deficiency of the appropriation of last winter, owing to circumstances stated in my annual report, to complete the branch road for iron, and having apprehension that dilapidation of the state work would ensue, and the design of the legislature in making the appropriation fail, the Commissioners could not dou t but that the legislature, being made acquainted with the facts, would provide for the payment of the moderate additional expenditures, necessary to complete the road, and thereby render the southern railroad as productive as possible. Under this impression, the expenditures included in the account of Messrs. Smith Williams & Ketchum, amounting to $3,739 62 were made, and materials furnished and the labor performed under the immediate inspection of the engineer. The account is properly certified; is rated at cash prices, and an appropriation for its payment, of the proceeds of the road, or at least of internal improvent fund warrants, would be just, as loaded trains are now running over the road daily; and it is a state, not an individual work. Several small balances of accounts are due other individuals than the above, payable in land warrants, amounting in all to $1,782 06, for which an appropriation of land is required to balance the engineer's estimates.

Very respectfully,

Your obedient servant,

O. C. COMSTOCK, Jr.,

Acting Commissioner.

The report was accepted, and the 'bill to provide for the payment of balances of accounts due for construction and completion of the

branch of the southern railroad during the year 1845,' was read twice and referred to the committee of the whole.

Mr. Barbour, from the committee on internal improvement, made the following report, which was accepted:

The committee on internal improvement, to whom was referred sundry petitions for an appropriation of lands on the Palmyra and Jacksonburg railroad, report—that they have had the same under consideration, and instructed me as their chairman to report the same back to the House, believing that under existing circumstances further action is unnecessary.

Also the petition of sundry inhabitants of the city of Detroit, praying for the planking of Woodward Avenue, and report adverse to the prayer of said petition.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 17, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill to regulate associations and partnerships for mining purposes," which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also to return the 'bill to amend an act entitled an act relative to free schools in the city of Detroit, approved February 12, 1842,' and to respectfully inform you that the Senate have passed the same.

Also to return the "bill to provide for the completion of the Central Rail Road from Jackson to Kalamazoo," and to respectfully inform you that the Senate have concurred in the House amendment to the Senate amendments striking out therefrom section two.

Also to return title XIX of the revision, and to inform you that the Senate have passed the same to a third reading, and made an amendment thereto, in which the concurrence of the House is respectfully asked.

Your obedient servant,
JAMES E. PLATT,
Secretary of Senate.

The "bill to provide for the completion of the Central Railroad from Jackson to Kalamazoo," and

The "bill to amend an act entitled an act relative to Free Schools in the city of Detroit, approved February 17, 1842," were ordered to be enrolled.

The "bill to regulate associations and partnerships for mining purposes," was read twice and referred to the committee on banks and incorporations.

The Senate amendment to title XIX of the proposed revision, was concurred in, and the title as amended was ordered to be enrolled.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Hazleton, title V of the proposed revision, together with the report of the committee of conference thereon, was taken from the table.

Mr. Giddings pursuant to previous notice, asked and obtained leave to introduce a "bill for the alteration of a state road in the counties of Kalamazoo and Barry," which bill was read twice and referred to the committee of the whole.

On motion of Mr. Peck, title XXI of the proposed revison, together with the instructions yesterday moved by him, was taken from the table.

Mr. Rice gave notice that on some future day he should ask leave to introduce a bill for the relief of William Seckler in the county of Lenawee.

The 'bill to repeal the charter of the village of Marshall,' was read the third time and passed by a two-thirds vote as follows:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Patterson,	
Andrews,	Hand,	Peck,	
A. C. Baldwin,	Hazleton	Pierce,	
C. Baldwin,	Hollister,	Ransom,	
Barbour,	Kennedy,	Rice,	
Barrett,	Leland,	Sprague	
Blair,	Leach,	Sweeney,	
Chubb,	W. Lewis,	Thomas,	
Cole,	Moran,	Wakeman,	
Davis,	Noble,	Walker,	
Dunham,	O'Malley,	Webster,	
Edmunds,	Ord,	Wing,	
Glen,	Palmer,	Speaker,	39

NAYS.

Mr. Sanborn,	Mr. Toll,	2

UNFINISHED BUSINESS.

Title XXI of the proposed revision was taken up, and the question being on committing with the instructions,

Mr. Blair moved to amend the instructions by striking the same out and inserting the following:

Strike out all that relates to the court of chancery, all that relates to the circuit courts for the several counties, and provide for the establishment of a county court with original jurisdiction of all suits and causes of action whatsoever, whether at law or in equity, which shall be always in session for the transaction of business, and shall proceed therein in all cases substantially as is provided in the bill adopted by this House; and also provide that the judges of the supreme court shall divide the state into so many districts as there shall be judges of said court, and that one of the said judges shall hold at least two terms of said supreme court in each year, in each of the counties of his district, for the purpose of hearing appeals and deciding all such questions of law as may be legally brought before him from the county court: Provided, that it shall always be lawful for any party conceiving himself aggrieved by such decision to appeal therefrom to the supreme court sitting in bank.

A division of the question was called for, and was first taken on striking out, and lost by the folowing vote:

YEAS.

Mr. Barrett,	Mr. Hazleton,	Mr. Palmer,	
Blair,	Kennedy,	Parsons,	
Chubb,	Leland,	Pierce,	
Edmunds,	Leach,	Sanborn,	
Giddings,	McDonald	Webster,	15

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Peck,	
Andrews,	Graham,	Ransom,	
A. C. Baldwin,	Groves,	Sprague,	
C. Baldwin,	Hand,	Sweeney,	
Barbour,	W. Lewis,	Wakeman,	
Cole,	Moran,	Walker,	
Cook,	Noble,	Wing,	
Davis,	O'Malley,	Speaker,	
Dunham,	Ord,		26

The question then recurring on the following motion:

That title XXI of the proposed revision be referred to a select committee, to examine it, and recommend to the House a concurrence in

such of the amendments to said title made by the Senate as they shall deem best, and to recommend a non-concurrence in such of said amendments as they shall deem proper, and recommend such substitute for the amendments to be non-concurred in as they shall deem proper, with instructions to enquire into and report as to the expediency of so amending the title as to provide:

1st. For the abolition of the court of chancery.

2d. For the organization of the supreme and the circuit courts, as reported by the judiciary committee of the House, giving the circuit courts original and exclusive jurisdiction of all cases in equity, in all civil cases at law, when the amount in dispute exceeds the sum of $500, and in all criminal cases not cognizable by justices of the peace; making the circuit judge a vice chancellor and clerk of the circuit a register in chancery; and providing that each case in equity shall be tried in the circuit where one of the parties reside, or the property in dispute may be.

3d. For the organization of a county court, to consist of one judge, elected by the people of each county, to hold his office for the term of four years, who shall have original and exclusive jurisdiction of all civil cases over $100, and up to $500, and appellate jurisdiction of all cases from justices of the peace, with jurisdiction to try all civil cases by consent of parties—the practice of the court to conform as near as may be to that of justices' courts as heretofore adopted by the House.

For the organization of courts of justices of the peace, courts of probate, as heretofore adopted by the House—and of such other amendments to said title as may be necessary to perfect a system on these bases.

Which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Peck,
Andrews,	Hand,	Ransom,
A. C. Baldwin,	Hollister,	Sprague,
C. Baldwin,	Kennedy,	Sweeney,
Barbour,	W. Lewis,	Thomas,
Cole,	Moran,	Toll,
Cook,	Noble	Wakeman,
Davis,	O'Malley,	Walker,
Dunham,	Ord,	Wing,
Glen,	Patterson,	Speaker,
Graham,		31

NAYS.

Mr. Barrett,	Mr. Hazleton,	Mr. Pierce,	
Blair,	Leland,	Rice,	
Chubb,	Leach,	Sanborn,	
Edmunds,	Palmer,	Webster,	
Giddings,	Parsons,		14

Title V of the proposed revision, together with the report of the committee of conference thereon, was taken up, and the question being on concurring in the report of the committee of conference, which report recommended that the House recede from their disagreement to the Senate amendment to said title, and concur in said amendment, the report was non-concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Ord,	
A. C. Baldwin,	Groves,	Patterson,	
Barbour,	Hand,	Peck,	
Cole,	W. Lewis,	Sweeney,	
Cook,	Morgan,	Toll,	
Dunham,	Noble,	Speaker,	
Glen,	O'Malley,		20

NAYS.

Mr. Andrews,	Mr. Hollister,	Mr. Ransom,	
C. Baldwin,	Kennedy,	Rice,	
Barrett,	Leland	Sanborn,	
Blair,	Leach,	Sprague,	
Chubb,	McDonald,	Wakeman,	
Davis,	Palmer,	Walker,	
Edmunds,	Parsons,	Webster,	
Giddings,	Pierce,	Wing,	
Hazelton,			25

The House then resolved itself into a committee of the whole on the general order, Mr. A. C. Baldwin in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'bill to authorize the Governor to issue patents in certain cases;'

A 'bill to authorize Louisa M. Skinner to convey certain real estate;'

A 'bill to provide for the payment of balances of accounts due for construction and completion of the branch of the Southern Railroad in the year 1845;' and

A 'bill to incorporate the Huron river canal company;'

Also, reported back with sundry amendments, in which the concurrence of the House was asked,

A 'bill to provide for the public printing, and for other purposes,' and

The 'bill to incorporate the Pontiac and Genesee rail road company."

The following bills were severally ordered to be engrossed and read the third time, viz:

A 'bill to authorize the Governor to issue patents in certain cases;'

A 'bill to authorize Louisa M. Skinner to convey certain real estate;' and

A 'bill to provide for the payment of balances of accounts due for construction and completion of the branch of the Southern railroad during the year 1845.'

The amendments to the 'bill to provide for the public printing, and for other purposes," were severally concurred in.

Mr. Walker moved to amend section two of the bill, by striking out therefrom the word 'separate' in the second line, and insert the words 'or any portion of the printing to be done for the public offices' n the tenth and eleventh lines, which motion was lost.

On motion of Mr. Hand, the bill was laid on the table.

On motion of Mr. Davis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Ord from the committee on engrossment and enrollment reported as correctly engrossed, the "joint resolution relative to a certain state road in the county of Macomb.'

The House then took up the 'bill to incorporate the Huron river canal company,' and

On motion of Mr. Hand, the following section was added to the bill:

Sec. —. The legislature may at any time impose upon said company a specific state tax not to exceed three fourths of one per cent upon the stock of said company paid in, and loans made to the same, which tax when imposed shall be in lieu of all other taxes.

The bill was then ordered to a third reading.

The House then took up the "bill to incorporate the Pontiac and Genesee railroad company," and the first amendment made in com-

mittee of the whole, was concurred in, and the second and third amendments were severally non-concurred in.

Mr. Webster moved an adjournment, which motion was lost.

The fourth amendment, being on striking out the words "and if such materials, not previously taken or appropriated by the proprietor thereof to any particular use, as may be necessary for the construction and repairs of said railroad, or any of its works, be found on any land adjoining or near the same," was concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Patterson,	
A. C. Baldwin,	Groves,	Peck,	
Barbour,	Hand,	Ransom,	
Blair,	Hazelton,	Sanborn,	
Chubb,	Hollister,	Sprague,	
Cole,	Kennedy,	Wakeman,	
Cook,	Leland,	Walker,	
Davis,	W. Lewis,	Webster,	
Dunham,	O'Malley,	Wing,	
Giddings,	Palmer,	Speaker,	
Glen,			31

NAYS.

Mr. Parsons,	Mr. Pierce,	Mr. Rice,	3

The fifth, sixth, and seventh amendments, were severally concurred in.

On motion of Mr. Hand, the words "and keep in repair," were inserted after the word "provide" in the fourth line of section thirteen, and in the first line of section fourteen.

On motion of Mr. Hand, section twenty-three was stricken out and the following inserted, viz:

Sec. 23. The said company shall pay to the state an annual tax of one half of one per cent upon the capital stock paid in, until the first day of February, eighteen hundred and fifty-one, and thereafter an annual tax of three fourths of one per cent. upon its capital stock paid in, and also upon all loans made to said company, for the purpose of constructing said railroad, which tax shall be paid in the last week of January in each year, to the state treasurer, and the property and effects of said company, whether real, personal or mixed, shall in consideration thereof be exempt from all and every other

tax, charge and exaction, by virtue of any laws of this state now or hereafter to be in force, except penalties by this act imposed.

Mr. Toll moved to add a new section, as follows, which motion was lost.

Sec. —. This act shall take effect and be in force from and after the Pontiac Railroad Company shall have paid to the state the whole amount due from said company to the state and not before or otherwise.

On motion of Mr. Hazelton,

The words 'the stockholders' were added to the end of the fifth line of section eight.

Mr. Groves moved to add the following proviso to section eleven, which motion was lost:

Provided, That said company shall not connect the said railroad herein authorized to be constructed, with any other railroad in the state without the consent of the legislature.

The bill was then ordered to a third reading by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hazelton,	Mr. Pierce,
Barbour,	Hollister,	Ransom,
Barrett,	Kennedy,	Rice,
Blair,	Leland,	Sprague,
Cole,	Ord,	Wakeman
Davis,	Palmer,	Walker,
Dunham,	Patterson,	Webster,
Giddings,	Peck,	Wing,
Hand,		25

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Sanborn,
Chubb,	Groves,	Sweeney,
Cook,	O'Malley,	Toll,
Edmunds,	Parsons,	Speaker,
Glen,		13

Mr. Peck, from the committee on banks and incorporations, by common consent, reported back with sundry amendments, the Senate 'bill to regulate associations and partnerships for mining purposes,' and the bill and amendments were referred to the committee of the whole.

Mr. Hollister, by common consent, and pursuant to previous notice, asked and obtained leave to introduce a 'bill to repeal an act appropriating non-resident highway taxes on the northern wagon road

in St. Clair county,' which was read twice and referred to the committee of the whole.

On motion of Mr. Peck,

It was ordered that the select committee to whom was referred title XXI of the proposed revision, shall consist of five persons.

Mr. Ord, from the committee on engrossment and enrollment, reported the following bills as correctly engrossed, viz:

A 'bill to provide for the payment of balances of accounts due for construction and completion of the branch of the Southern railroad, during the year 1845,' and

A 'bill to authorize the Governor to issue patents in certain cases.'

The House then resolved itself into committee of the whole on the general order, Mr. Peck in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'bill to incorporate the Kalamazoo and Grand Rapids railroad company;'

A 'bill to incorporate the Grand River valley railroad company;'

A 'bill to incorporate the Kalamazoo river railroad company;'

A 'bill for the relief of the purchasers of certain lands in the township of Lima;'

A 'bill to authorize James Burroughs to erect a dam across Flat river, in the county of Kent;' and

A 'bill to repeal an act appropriating non-resident highway taxes on the Northern wagon road, in St. Clair county.'

Also reported back with sundry amendments, in which the concurrence of the House was asked,

A 'bill to incorporate the Owasso literary institute;'

A 'bill to amend the charter of the village of Ann Arbor;' and

A 'bill to regulate associations and partnerships for mining purposes.'

On motion of Mr. Wakeman,

The 'bill to incorporate the Kalamazoo and Grand River railroad company,' the 'bill to incorporate the Grand River valley railroad company,' and the 'bill to incorporate the Kalamazoo river railroad company,' were referred to a select committee with instructions.

The Speaker appointed as such committee Messrs. Wakeman, Ransom, and W. Lewis.

The 'bill to repeal an act appropriating non-resident highway taxes on the Northern wagon road, in St. Clair county;'

The 'bill for the relief of purchasers of certain lands in the township of Lima;' and,

The 'bill to authorize James Burroughs to erect a dam across Flat river, in the county of Kent,' were severally ordered to be engrossed for a third reading.

On motion of Mr. Hand,

The 'bill to incorporate the Owasso Literary institute,' was laid on the table, together with the amendments made thereto in committee of the whole.

The first amendment made in committee of the whole to the 'bill to amend the charter of the village of Ann Arbor,' was non-concurred in, and the remainder of the amendments severally concurred in.

On motion of Mr. Chubb,

Section thirty-eight was amended by striking out therefrom the words 'from the fifteenth day of April next,' and inserting 'and be in force from and after its passage.'

On motion of Mr. Edmunds,

The words 'military duty,' were inserted after the word 'juries,' in the eleventh line of section twenty-seven.

Mr. Hollister moved to strike out all after the enacting clause of the bill, which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Hand,	Mr. Rice,
Cook,	Hazelton,	Sprague,
Dunham,	Hollister,	Sweeney,
Glen,	O'Malley,	Toll,
Gro wes,		13

NAYS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Pierce,
Barrett,	Leland,	Ransom,
Chubb,	Palmer,	Sanborn,
Cole,	Parsons,	Walker,
Edmunds,	Peck,	Speaker,
Giddings,		16

The amendments to the 'bill to regulate associations and partnerships for mining purposes,' were severally concurred in; and,

On motion of Mr. Hand,

The bill was laid on the table.

Mr. Palmer from the committee on engrossment and enrollment, reported as correctly engrossed, the 'bill to authorize Louisa M. Skinner to convey certain real estate.'

Also, reported the following bills as correctly enrolled, and that the same were this day presented to the Governor for his approval, viz:

A 'bill to provide for the laying out and establishing certain state roads in the county of Hillsdale,' and

A 'bill to provide for the completion of the Central railroad from Jackson to Kalamazoo.

Mr. Patterson asked and obtained leave of absence for Mr. C. Baldwin till Thursday next.

Mr. A. C. Baldwin for Mr. Davis for the same time,

The Speaker appointed as the select committee to whom was referred title XXI of the proposed revision, Messrs. Peck, Noble, Ransom, Hazleton and Groves.

On motion of Mr. Andrews, the House adjourned.

Monday, April 20, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called and Messrs. A. C. Baldwin, C. Baldwin, Brotherson, Davis, Hand, Jones, T. Lewis, Morse, Noble, Scott, and Ten Eyck, were absent on leave, and Messrs. Barbour, Chubb, Hawley, Hollister, McDonald, Leach, Ord, Sanborn and Thomas were absent without leave. The Speaker called Mr. Walker to the chair.

The journal of Saturday was read and approved.

Mr. Giddings asked and obtained leave of absence for Mr. Sanborn till Wednesday next.

Mr. Barrett for Mr. Thomas for the same time.

Mr. Ransom presented the petition of Horace Mower and two hundred others, of Kalamazoo village, for a repeal of the charter of said village; referred to the committee on banks and incorporations.

Mr. Patterson from the committee on ways and means, made the following report, which was accepted:

The committee of ways and means to whom was re-committed the Senate 'bill to equalize the valuation of property between the several counties, and to establish its minimum for the purposes of taxation,' with discretionary instructions to prepare a substitute bill to provide for a more perfect system of appraisement, and for establishing a state board of equalization, respectfully report:

That they have carefully examined the systems of Pennsylvania, Ohio and Indiana, and have come to the conclusion that, in the states where the county boards are formed on the principle of one representative for each township, composing a board of supervisors for the county, a state board of equalization, founded as in the above named states, under the county commissioner, not the supervisor system, would be unsatisfactory, and liable to end in conflict of interests and vexatious jealousies between the new and old counties in consequence of disagreements in the board respecting the relative and actual value of property.

The extension of the existing principle or mode of equalization between the townships, as practised under our supervisor system, would lead to the creation of a board composed of one commissioner from each county, elected without regard to ratio of population or of property, to meet at some central point in the state at a specified time, for the purpose of investigating the appraisal returns, and equalizing the valuation of property between the several counties by adding to or deducting from the reported valuation thereof. Such a system with its necessary provisions for securing accurate return lists of property appraisals to the state board, and equalization lists back again to the county boards would be expensive, cumbersome, and of doubtful practical utility.

After consultation with several intelligent citizens from different sections of the state, the committee find such diversified and conflicting opinions entertained on this subject, that they are not prepared to report a bill which they think would be of advantage to the state.—

They therefore return the Senate bill, and ask to be discharged from the further consideration of the subject.

On motion of Mr. Hand, the "bill to equalize the valuation of property between the several counties, and to establish its minimum for the purposes of taxation," was laid on the table.

Mr. Wakeman, from the select committee to whom was referred the 'bill to incorporate the Kalamazoo and Grand river railroad company,' the 'bill to incorporate the Grand river valley railroad company,' and the 'bill to incorporate the Kalamazoo river railroad company,' with instructions, reported the same back amended in accordance with the instructions, and the report was accepted, and the bills referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 18, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that the senate have concurred in the report of the committee of conference upon the "bill declaratory of the interests of Michigan in mines and minerals," and have ordered the bill as amended to be enrolled.

Also, to respectfully inform you that the Senate have not accepted the report of, nor discharged the committee of conference upon title XVIII, of the revision, and to respectfully ask the House for another reference of the disagreement between the two houses, to a committee of conference.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

On motion of Mr. Hand, title XVIII of the proposed revision was laid on the table.

On motion of Mr. Hazleton,

The rule was suspended, to enable him to ask leave to introduce a bill, previous notice not having been given, and he asked and obtained leave to introduce a "bill to authorize the township of Penonagawink, to hold a township meeting therein and for other purposes," which was read twice and ordered to be engrossed for a third reading.

Mr. Ransom gave notice that on some future day he should ask leave to introduce a bill for the purpose of taxing of dogs, and for other purposes.

On motion of Mr. A. C. Baldwin, leave was granted to the select committee to whom was referred title XXI of the proposed revision, to sit during the sessions of the House.

consent, reported back to the House without amendment, titles XXX and XXXI of the proposed revision,

And these titles were referred to the committee of the whole.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Cook in the chair.

And after some time spent thereon, the committee rose, and through their chairman reported that they had had under consideration title XXX of the proposed revision, on which they had made some progress, and asked and obtained leave to sit again.

On motion of Mr. Sweeney, the House adjourned.

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Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Patterson, the House resolved itself into committee of the whole on the proposed revision, Mr. Cook in the chair.

After some time spent thereon, the committee rose, and through their chairman reported title XXX back with sundry amendments in which the concurrence of the House was asked.

On motion of Mr. Walker, the title and amendments were laid on the table.

The following messages were received from the Senate:

SENATE CHAMBER,
Detroit, April 18, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return a "bill to incorporate the Marshall and Union City plank road company," which the Senate have passed with amendments in which they respectfully ask the concurrence of the House; also to return the 'bill to amend an act to provide for the sale of certain unsold state tax lands and for other purposes, approved February 17, 1846,' and to respectfully inform you that the Senate have passed the same with an amendment in which they respectfully ask the concurrence of the House; also to transmit a 'bill to authorize the commissioners of the township of Hanover, in the county of Jackson, to discontinue and alter all that part of the state road where it crosses sections one and two in said

township,' which the Senate have passed and in which the concurrence of the House is asked.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of Senate.

SENATE CHAMBER,
Detroit, April 20, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return a "bill to confirm the official acts of E. Smith Lee and for other purposes;'

The 'bill authorizing Sandy McLeod to build a dam across the Sheboygan river, in the county of Sheboygan;'

The 'joint resolution relative to the leasing of the Clinton and Kalamazoo canal;'

The 'bill to authorize the electors of school district No. 1, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school-house in said district;'

The 'bill to incorporate the Utica and Detroit city plank road company;" and,

The 'bill to incorporate the Flint river and Saginaw navigation company.'

Which several bills the Senate have passed, with amendments, in which the concurrence of the House is respectfully asked.

Also to inform you that the Senate have concurred in the amendments made by the House to the 'bill to incorporate the Pontiac and Genesee railroad company,' and the 'bill to incorporate the Huron river canal company,' and have ordered the bills as amended to be enrolled.

Also to respectfully inform you that the Senate have concurred in the report of the committee of conferrence upon the 'bill to amend the charter of the Cotton-wood swamp turnpike company,' and that they adhere to their amendments to said bill.

Also to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the 'bill to provide for the payment of the claim of John Ball,' and that they do insist upon their non-concurrence in the amendment made thereto by the House.

Also, to respectfully inform you that Senators Green, Hale, and

Chipman have been appointed a committee of conference on the part of the Senate upon the disagreement between the two Houses upon title V of the revision.

Also to respectfully inform you that the Senate have non-concurred in the report of the committee of conference upon title XVIII of the revision, submitted on April 18th; that said committee having been discharged, and that Senators Green, Fenton and Thurber, have been appointed a committee of conference on the part of the Senate, upon the disagreement between the two Houses upon said title, and the appointment of a like committee on the part of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

Secretary of Senate.

The Senate amendments to the 'bill to confirm the official acts of E. Smith Lee and for other purposes;'

To the 'joint resolution relative to the leasing of the Clinton and Kalamazoo canal;'

To the 'bill authorizing Sandy McLeod to build a dam across Sheboyagan river, in the county of Sheboyagan;' and

To the 'bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, to raise a tax for the erection of a school house in said district,' were severally concurred in, and the bills ordered to be enrolled.

The Senate amendments to the 'bill to incorporate the Flint river and Saginaw navigation company,' were concurred in, and the bill as amended was concurred in by a two thirds vote as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Ord,	
Barrett,	Leland,	Patterson,	
Edmunds,	Leach,	Sprague,	
Giddings,	T. Lewis,	Sweeney,	
Groves,	W. Lewis,	Wakeman,	
Hand,	McDonald,	Walker,	
Hazleton,	Moran,	Webster,	21

NAYS.

Mr. Cook,	Mr. Parsons,	Mr. Toll,	
Hollister,	Pierce,	Speaker,	6

The bill was then ordered to be enrolled.

The Senate amendments to the 'bill to incorporate the Utica and Detroit city plank road company,' were concurred in, and the bill as amended was concurred in by yeas and nays as follows, two thirds voting in the affirmative:

YEAS.

Mr. Andrews,	Mr. Kennedy,	Mr. Patterson,	
A. C. Baldwin,	Leland,	Pierce,	
Barrett,	Leach,	Sprague,	
Giddings,	T. Lewis,	Wakeman,	
Glen,	McDonald,	Walker,	
Groves,	Moran,	Webster,	
Hand,	Ord,	Speaker,	
Hazleton,			2

NAYS.

Mr. Cook,	Mr. W. Lewis,	Mr. Sweeney,	
Edmunds,	Palmer,	Toll,	
Hollister,			7

The Senate 'bill to authorize the commissioners of the township of Hanover, in the county of Jackson, to discontinue and alter all that part of the state road where it crosses sections one and two in said township,' was read twice and referred to the committee on roads and bridges.

The Senate amendment to the 'bill to amend an act to provide for the sale of certain unsold state tax lands and for other purposes, approved February 17, 1846,' was concurred in, the bill as amended was concurred in, and ordered to be enrolled.

The Senate amendments to the 'bill to incorporate the Marshall and Union City plank road company,' were concurred in, and the bill as amended was concurred in by the following vote, two thirds voting in the affirmative:

YEAS.

Mr. Barrett,	Mr. Leach,	Mr. Pierce,	
Giddings,	T. Lewis,	Sprague,	
Glen,	W. Lewis,	Toll,	
Groves,	McDonald,	Wakeman,	
Hand,	Moran,	Walker,	
Hazleton,	Ord,	Webster,	
Kennedy,	Patterson,	Speaker,	21

NAYS.

Mr. Andrews,	Mr. Hollister,	Mr. Parsons,	
Edmunds,	Leland,	Sweeney,	6

The bill was then ordered to be enrolled.

The Speaker appointed as committees of conference on the disagreement between the two houses on title V of the proposed revision, Messrs. Hazleton, Noble and Walker, and on the disagreement between the two houses on title XVIII, Messrs. Ames, Edmunds and Patterson.

Mr. W. Lewis, by common consent, presented two remonstrances of inhabitants of the township of Praireville, in the county of Barry, against a division of said township; referred to the committee on the organization of townships and counties.

Mr. Ames from the committee on engrossment, reported the following bills as correctly engrossed, viz:

A 'bill to incorporate the Grand River Valley railroad company;'

A 'bill to incorporate the Kalamazoo river railroad company;'

A 'bill to incorporate the Kalamazoo and Grand Rapids rail road company;'

A 'bill to amend the charter of the village of Ann Arbor;'

A 'bill for the relief of the purchasers of certain lands in the township of Lima;'

A 'bill to repeal an act appropriating non-resident highway taxes on the northern wagon road, in St. Clair county;' and

A 'bill to authorize James Burroughs to erect a dam across Flat river in the county of Kent.'

On motion of Mr. McDonald,

The 'bill to authorize Louisa M. Skinner to convey certain real estate,' was taken from the table,

And the question being on its passage, it was passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Hazelton,	Mr. Parsons,	
A. C. Baldwin,	Hollister,	Patterson,	
Barrett,	Kennedy,	Pierce,	
Cole,	Leland	Sprague,	
Edmunds,	W. Lewis,	Sweeney,	
Giddings,	McDonald,	Toll,	
Graham,	Moran,		20

NAYS.

Mr. Ames,	Mr. Groves,	Mr. Ord,	
Cook,	Hand,	Speaker,	
Glen,	T. Lewis,		6

On motion of Mr Ord, the House adjourned.

Tuesday, April 21, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Pilcher,

The roll was called, and Messrs. C. Baldwin, Brotherson, Cook, Davis, Hand, Jones, Morse, Noble, Peck, Sanborn, Scott, Ten Eyck, Thomas and Walker, were absent on leave, and Messrs. Ames, Andrews, Barbour, Chubb, Dunham, Hawley, Hazelton, Leach, T. Lewis, Moran, O'Malley, and Ord, were absent without leave.

Mr. Cole asked and obtained leave of absence for Mr. Barbour for an indefinite period.

Mr. Pierce for Mr. Chubb for an indefinite time.

The journal of yesterday was read and approved.

Mr. Cook from the committee on the judiciary to whom was referred the 'joint resolution for the relief of Wendell Buck,' reported the same back with a substitute therefor; and the joint resolution and substitute were referred to the committee of the whole.

Mr. Hand from the committee on the judiciary, reported a 'bill to amend an act entitled an act relative to the city of Detroit,' which was read twice and referred to the committee of the whole.

Mr. Leland from the committee on roads and bridges, reported back without amendment the 'bill to authorize the commissioners of the township of Hanover, in the county of Jackson to discontinue and alter all that part of the state road where it crosses sections one and two in said township,' and recommended its passage.

The report was accepted, and the bill referred to the committee of the whole.

Mr. Rice, from the committee of conference, on the part of the House, on the disagreement between the two Houses on the 'bill to amend the charter of the Cottonwood Swamp turnpike company,' reported that the committee had agreed to recommend that the House adhere to their disagreement to the Senate amendments to said bill.

The report was accepted, and

On motion of Mr. Rice,

The House adhered to their disagreement to the Senate amendments to said bill.

Mr. Patterson from the committee of conference on the disagree-

ment between the two houses on the "bill to provide for the payment of John Ball," reported that the committee had agreed to recommend to the House to recede from their amendment to said bill.

The report was accepted, and

On motion of Mr. Patterson,

The House receded from their amendment to said bill by the following vote:

YEAS.

Mr. Barret,	W. Lewis,	Sprague,	
Cook,	O'Malley,	Sweeney,	
Dunham,	Ord,	Toll,	
Glen,	Palmer,	Wakeman,	
Groves,	Patterson,	Wing,	
Hand,	Peck,	Speaker,	
T. Lewis,			19

NAYS.

Ames,	Graham,	Moran,	
Andrews,	Hollister,	Pierce,	
A. C. Baldwin,	Kennedy,	Ransom,	
Blair,	Leland,	Rice,	
Edmunds,	Leach,	Webster,	
Giddings,	McDonald,		17

The question then recurring on concurring in the Senate bill, it was non-concurred in.

On motion of Mr. Ames,

The vote by which the House non-concurred in the Senate bill, was reconsidered by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Sprague,	
Barrett,	Hollister,	Sweeney	
Brotherson,	T. Lewis,	Toll,	
Cole,	W. Lewis,	Wakeman,	
Cook,	O'Malley,	Webster,	
Dunham,	Patterson,	Wing,	
Glen,	Peck,	Speaker,	
Groves,			22

NAYS.

Mr. Ames,	Mr. Kennedy,	Mr. Ord,	
Andrews,	Leland,	Palmer,	
Blair,	Leach,	Pierce,	
Edmunds,	McDonald,	Ransom,	
Giddings,	Moran,	Rice,	
Graham,			16

The question then recurring on concurring in the Senate "bill to provide for the payment of John Ball," it was concurred in by yeas and nays as follows:

YEAS.

Mr. Barrett,	Mr. Hazleton,	Mr. Sprague,	
Cole,	T. Lewis,	Sweeney,	
Cook,	W. Lewis,	Toll,	
Dunham,	O'Malley,	Wakeman,	
Glen,	Palmer,	Walker,	
Groves,	Patterson,	Wing,	
Hand,	Peck,	Speaker,	21

NAYS.

Mr. Ames,	Mr. Graham,	Mr. Moran,	
Andrews,	Hollister,	Ord,	
Blair,	Kennedy,	Pierce,	
Brotherson,	Leland,	Ransom,	
Edmunds,	Leach,	Rice,	
Giddings,	McDonald,		17

On motion of Mr. Cole,

Leave was granted to George Buck to withdraw from the files of the House the papers relative to his claim.

Mr. Hazleton, from the committee of conference, made the following report, which was accepted, and the committee discharged: The committee of conference, appointed on the part of the House to confer with a like committee from the Senate on the disagreement between the two houses to title five of the proposed revision (relative to taxes) have had the same under consideration, and have not been able to come to any determination thereon, and ask to be discharged from the further consideration of the subject.

THIRD READING OF BILLS.

The following bills were severally read the third time and passed:

A 'bill to authorize James Burroughs to erect a dam across Flat river, in the county of Kent;'

A 'bill to repeal an act appropriating non-resident highway taxes on the Northern wagon road, in St. Clair county;' and

A 'bill for the relief of purchasers of certain lands in the township of Lima;'

The 'bill to amend the charter of the village of Ann Arbor,' was read the third time and passed by a two-thirds vote, as follows:

ment between the two houses on the "bill to provide for the payment of John Ball," reported that the committee had agreed to recommend to the House to recede from their amendment to said bill.

The report was accepted, and

On motion of Mr. Patterson,

The House receded from their amendment to said bill by the following vote:

YEAS.

Mr. Barret,	W. Lewis,	Sprague,	
Cook,	O'Malley,	Sweeney,	
Dunham,	Ord,	Toll,	
Glen,	Palmer,	Wakeman,	
Groves,	Patterson,	Wing,	
Hand,	Peck,	Speaker,	
T. Lewis,			19

NAYS.

Ames,	Graham,	Moran,	
Andrews,	Hollister,	Pierce,	
A. C. Baldwin,	Kennedy,	Ransom,	
Blair,	Leland,	Rice,	
Edmunds,	Leach,	Webster,	
Giddings,	McDonald,		17

The question then recurring on concurring in the Senate bill, it was non-concurred in.

On motion of Mr. Ames,

The vote by which the House non-concurred in the Senate bill, was reconsidered by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Sprague,	
Barrett,	Hollister,	Sweeney	
Brotherson,	T. Lewis,	Toll,	
Cole,	W. Lewis,	Wakeman,	
Cook,	O'Malley,	Webster,	
Dunham,	Patterson,	Wing,	
Glen,	Peck,	Speaker,	
Groves,			22

NAYS.

Mr. Ames,	Mr. Kennedy,	Mr. Ord,	
Andrews,	Leland,	Palmer,	
Blair,	Leach,	Pierce,	
Edmunds,	McDonald,	Ransom,	
Giddings,	Moran,	Rice,	
Graham,			16

The question then recurring on concurring in the Senate "bill to provide for the payment of John Ball," it was concurred in by yeas and nays as follows:

YEAS.

Mr. Barrett,	Mr. Hazleton,	Mr. Sprague,	
Cole,	T. Lewis,	Sweeney,	
Cook,	W. Lewis,	Toll,	
Dunham,	O'Malley,	Wakeman,	
Glen,	Palmer,	Walker,	
Groves,	Patterson,	Wing,	
Hand,	Peck,	Speaker,	21

NAYS.

Mr. Ames,	Mr. Graham,	Mr. Moran,	
Andrews,	Hollister,	Ord,	
Blair,	Kennedy,	Pierce,	
Brotherson,	Leland,	Ransom,	
Edmunds,	Leach,	Rice,	
Giddings,	McDonald,		17

On motion of Mr. Cole,

Leave was granted to George Buck to withdraw from the files of the House the papers relative to his claim.

Mr. Hazleton, from the committee of conference, made the following report, which was accepted, and the committee discharged: The committee of conference, appointed on the part of the House to confer with a like committee from the Senate on the disagreement between the two houses to title five of the proposed revision (relative to taxes) have had the same under consideration, and have not been able to come to any determination thereon, and ask to be discharged from the further consideration of the subject.

THIRD READING OF BILLS.

The following bills were severally read the third time and passed:

A 'bill to authorize James Burroughs to erect a dam across Flat river, in the county of Kent;'

A 'bill to repeal an act appropriating non-resident highway taxes on the Northern wagon road, in St. Clair county;' and

A 'bill for the relief of purchasers of certain lands in the township of Lima;'

The 'bill to amend the charter of the village of Ann Arbor,' was read the third time and passed by a two thirds vote, as follows:

YEAS.

Mr. Barrett,	Mr. Hazelton,	Mr. Pierce,	
Blair,	Kennedy,	Ransom,	
Cole,	Leland,	Sprague,	
Dunham,	McDonald	Wakeman	
Edmunds,	Moran,	Walker,	
Giddings,	O'Malley,	Wing,	
Glen,	Palmer,	Speaker,	
Hand,	Patterson,		23

NAYS.

Mr. Andrews,	Mr. T. Lewis,	Mr. Sweeney,	
Graham,	Ord,	Toll,	
Hollister,			7

The 'bill to incorporate the Kalamazoo and Grand Rapids Railroad company,' was read the third time, and the question being on its passage, it was lost by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Barrett,	Mr. Kennedy,	Mr. Patterson,	
Blair,	Leland,	Pierce,	
Cole,	Leach,	Ransom,	
Edmunds,	McDonald,	Rice,	
Giddings,	Moran,	Sprague,	
Hand,	O'Malley,	Wakeman,	
Hazelton,	Palmer,	Webster,	21

NAYS.

Mr. Ames,	Mr. Glen,	Mr Toll,	
Andrews,	Hollister,	Wing,	
Cook,	T. Lewis,	Speaker,	
Dunham,	Sweeney,		11

On motion of Mr. Blair, the last vote was reconsidered, and the question recurring on the passage of the bill, it was passed by a two thirds vote as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Patterson,	
Barrett,	Leland,	Pierce,	
Blair,	Leach,	Ransom,	
Cole,	McDonald,	Sprague,	
Edmunds,	Moran,	Wakeman,	
Giddings,	O'Malley,	Walker,	
Groves,	Ord,	Webster,	
Hand,	Palmer,	Wing,	
Hazleton,			25

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Sweeney,	
Andrews,	Hollister,	Toll,	
Cook,	T. Lewis,	Speaker,	
Dunham,			10

The 'bill to incorporate the Kalamazoo river Railroad company,' was read the third time, and the question being on its passage, it was lo t by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Pierce,	
Barrett,	Leland,	Ransom,	
Blair,	Leach,	Sprague,	
Cole,	McDonald,	Wakeman,	
Edmunds,	Ord,	Walker,	
Giddings,	Palmer,	Webster,	
Hand,	Patterson,	Wing,	
Hazelton,			22

NAYS.

Mr. Ames,	Mr. Groves,	Mr. O'Malley,	
Andrews,	Hollister,	Sweeney,	
Cook,	T. Lewis,	Toll,	
Glen,	Moran,	Speaker,	12

Mr. Ransom moved a reconsideration of the last vote, and

On motion of Mr. Hazleton, the motion to reconsider was laid on the table.

The 'bill to incorporate the Grand River Valley Railroad company, was read the the third time and passed by a two thirds vote, as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Hazelton,	Mr. Palmer,	
Barrett,	Hollister,	Patterson,	
Blair,	Kennedy,	Pierce,	
Brotherson,	Leland,	Ransom,	
Cole,	Leach,	Sprague,	
Edmunds,	T. Lewis,	Wakeman,	
Giddings,	McDonald,	Walker,	
Hand,	Moran,	Webster,	24

NAYS.

Mr. Ames,	Mr. Graham,	Mr. Sweeney,	
Andrews,	Groves,	Wing,	
Cook,	O'Malley,	Speaker,	
Glen,			10

Mr. T. Lewis moved a reconsideration of the last vote, which motion was lost.

The House then resolved itself into a committee of the whole on the proposed revision, Mr. Cook in the chair.

After some time spent thereon the committee rose, and by their chairman reported that they had had under consideration title XXXI,

on which they had made some progress and asked and obtained leave to sit again.

On motion of Mr. Wakeman, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Hand, the House resolved itself into committee of the whole on the proposed revision, Mr. Cook in the chair.

After some time spent thereon, the committee rose, and by their chairman reported title XXXI back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Patterson,

The title was laid on the table.

On motion of Mr. Cole, the House adjourned.

Wednesday, April 22, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called, and Messrs. Barbour, Chubb, Davis, Hand, Jones, Morse, Scott, Ten Eyck, Thomas and Walker, were absent on leave, and Messrs. Andrews, Graham, Groves, Hazelton, T. Lewis, Moran, Ord and Toll were absent without leave.

Mr. Dunham asked and obtained leave of absence for Mr. Hazelton for an indefinite time on account of sickness.

Mr. Sanborn presented the petition of Linus S. Gilbert and fifty-five other citizens of St. Clair and Macomb counties, for the passage of a law appropriating non-resident highway taxes on a certain road; laid on the table.

Mr. Hand, from the select committee to whom was referred the 'bill relative to warehousing and forwarding,' reported the same back with sundry amendments; and the bill and amendments were referred to the committee of the whole.

Mr. Noble from the committee on the judiciary, reported title XXXII of the proposed revision, without amendment; and the title was referred to the committee of the whole.

The following communication was announced:

SENATE CHAMBER, }
April 20, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill for amending the act relative to the registry of certain deeds, approved March 9, 1844;'

The 'bill for improving the highway from Bellevue to Charlotte, in Eaton county;' and

The 'bill to incorporate the Corunna and Northampton turnpike company;' which the Senate have passed with amendments in which the concurrence of the House is respectfully asked.

Also, to return the 'bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844;' and,

The 'bill to incorporate the Vermontville Academical association,' and to respectfully inform you that the Senate have passed the same.

Also to return the 'bill to amend the charter of the Troy and Rochester railroad company,' which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

Also to return the 'bill to prevent inoculation with the small pox;' and to respectfully inform you that the Senate have non-concurred therein.

Also to transmit a 'bill to authorize the commissioners of highways in certain towns in the county of Calhoun to appropriate and expend non-resident highway taxes in the said townships;' and

A 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river at Bridgeport, in said county,' which bills the Senate have passed, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES E PLATT,
Secretary of Senate.

The 'bill to incorporate the Vermontville Academical association,' and the 'bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844,' were ordered to be enrolled.

The Senate amendments to the 'bill for amending an act relative to the registry of certain deeds, approved March 9, 1844;' and

To the 'bill to provide for improving the highway from Bellevue to Charlotte, in Eaton county,' were severally concurred in, the bills as amended were concurred in, and were ordered to be enrolled.

The Senate amendments to the 'bill to incorporate the Corunna and Northampton Turnpike company,' were concurred in, and the bill as amended was concurred in by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Leland,	Mr. Ransom,	
C. Baldwin,	Leach,	Sanborn,	
Barret,	W. Lewis,	Sprague,	
Cole,	McDonald,	Sweeney,	
Dunham,	Moran,	Wakeman,	
Giddings,	Noble,	Walker,	
Groves,	O'Malley,	Webster,	
Hawley,	Ord,	Wing,	
Hollister,	Palmer.	Speaker,	
Kennedy,	Parsons,		29

NAYS.

Mr. Andrews,	Mr. Glen.	Mr. T. Lewis,	
Brotherson,	Graham,	Rice,	6

The bill was then ordered to be enrolled.

The Senate amendments to the 'bill to amend the charter of the Troy and Rochester Railroad Company,' were concurred in, and the bill as amended was concurred in by the following vote, two-thirds voting in the affirmative:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Ord,	
A. C. Baldwin,	Hollister,	Palmer,	
C. Baldwin,	Kennedy,	Ransom,	
Barrett,	Leland,	Rice,	
Blair,	Leach,	Sanborn,	
Brotherson,	T. Lewis,	Sprague,	
Cole,	W. Lewis,	Sweeney	
Giddings,	McDonald,	Wakeman,	
Glen,	Moran,	Walker,	
Hand,	O'Mulley,	Webster,	30

NAYS.

Mr. Cook,	Mr. Parsons,	Mr. Speaker,	
Groves,	Pierce,		5

The bill was then ordered to be enrolled.

The 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river, at Bridgeport, in said county, and making appropriation therefor,' and

The 'bill to authorize the commissioners of highways in certain towns in the county of Calhoun, to appropriate and expend non-resident highway taxes in the said townships,' were severally read twice and referred to the committee on roads and bridges.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 21, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the 'bill to amend an act entitled an act to incorporate the village of Jackson, approved March 7, 1843, and the act amendatory, approved February 20 1844;'

The 'bill to amend an act entitled an act to incorporate the village of Allegan, approved March 20, 1838;'

The 'joint resolution relative to a certain state road in the county of Macomb;'

The 'bill to authorize William Laird and Sarah Bliss to execute a mortgage upon certain land in St. Joseph county,' and

The 'bill to provide for the payment of balances of accounts due for construction and completion of the branch of the southern railroad during the year 1845,' and to respectfully inform you that the Senate have concurred therein.

Also to return the 'bill to repeal the charter of the village of Marshall, and to respectfully inform you that the Senate have non-concurred therein.

Also to return the 'bill for the relief of William McDermott,' and the 'bill to authorize the Governor to issue patents in certain cases,' which bills the Senate have passed with amendments, in which the concurrence of the House is respectfully asked.

Also to transmit a 'bill to regulate private associations and partnerships' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The 'bill to amend an act entitled an act to incorporate the village of Jackson, approved March 7, 1843, and the act amendatory thereof, approved February 20, 1844;'

A 'bill to authorize William Laird and Sarah Bliss to execute a mortgage upon certain land in St. Joseph county;'

The 'bill to provide for the payment of balances of accounts due for construction and completion of the branch of the Southern railroad, during the year 1845.'

The "bill to amend an act entitled an act to incorporate the village of Allegan, approved March 20, 1838;" and

The "joint resolution relative to a certain state road in the county of Macomb," were ordered to be enrolled.

The Senate amendments to the "bill for the relief of William McDermott," and

To the "bill to authorize the Governor to issue patents in certain cases," were concurred in, and the bills as amended were concurred in, and ordered to be enrolled.

A 'bill to regulate private associations and partnerships" was read twice and referred to the committee on banks and incorporations.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Ransom,

The motion to reconsider the vote by which the 'bill to incorporate the Kalamazoo river railroad company' was lost, was taken from the table, the vote reconsidered, and the question recurring on the passage of the bill, it was passed by a two-thirds vote, as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Kennedy,	Mr. Ransom,	
C. Baldwin,	Leland	Rice,	
Barrett,	Leach,	Sanborn,	
Blair,	W. Lewis,	Sprague,	
Brotherson,	McDonald,	Wakeman,	
Cole,	Moran,	Walker,	
Giddings,	Ord,	Webster,	
Hand,	Palmer,	Wing,	
Hollister,	Pierce,		26

NAYS.

Mr. Andrews,	Mr. O'Malley,	Speaker,	
Cook,	Sweeney,		5

On motion of Mr. Walker,

Resolved, That the select committee to whom was referred title

XXI of the proposed revision, be authorized to employ a clerk to assist in copying their report.

Mr. Ransom, pursuant to previous notice, asked and obtained leave to introduce a "bill for the taxation of dogs, and for other purposes," which was read twice and referred to the committee of the whole.

On motion of Mr. Hand,

Title XXX of the proposed revision, together with the amendments made thereto in committee of the whole, was taken from the table and recommitted to the committee of the whole.

Mr. Peck, pursuant to previous notice, asked and obtained leave to introduce a 'bill to legalize the collection and return of taxes for the year 1845, by deputy sheriffs in the different counties of this state,' which was read twice and ordered to be engrossed for a third reading.

On motion of Mr. Hand,

The 'bill amendatory of the several acts touching licenses,' was taken from the table, and the question being on ordering the bill to be engrossed for a third reading, it was decided in the negative by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hawley,	Mr. Ransom,
Blair,	Kennedy,	Sanborn,
Cole,	Patterson,	Sprague,
Cook,	Pierce,	Sweeney,
Dunham,		13

NAYS.

Mr. Ames,	Mr. Leland,	Mr. Palmer,
Barrett,	Leach,	Parsons,
Brotherson,	T. Lewis,	Rice,
Edmunds,	W. Lewis,	Wakeman,
Giddings,	McDonald,	Webster,
Graham,	Moran,	Wing,
Groves,	O'Malley,	Speaker,
Hand,	Ord,	23

Mr. A. C. Baldwin asked and obtained leave of absence for Mr. Davis for the remainder of the week.

Mr. Ames, from the committee on engrossment and enrollment, reported title XVII of the proposed revision as correctly engrossed, and the title was read the third time.

Mr. Ames, from the same committee, reported that the following

bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'bill in relation to the official acts of masters in chancery, in certain cases;'

A 'bill to provide for the re-assessment of certain taxes in the township of Stockbridge, Ingham county, and in the township of Woodstock, Lenawee county, and in the township of Wright, Hillsdale county;'

A 'bill to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, and school district number eleven, in the township of Coldwater, and county of Branch, to raise a tax for the erection of school houses in said districts;'

A 'bill to provide for the laying out of certain state roads;'

A 'bill authorizing Sandy McLeod to build a dam across the Sheboygan river, in the county of Sheboygan;'

A 'bill to incorporate the Port Huron and Lake Michigan Railroad company;'

'Joint resolution relative to leasing the Clinton and Kalamazoo canal;' and

A 'bill to amend an act to provide for the sale of certain unsold state tax lands, and for other purposes, approved February 17, 1846.'

The House then resolved itself into committee of the whole on the proposed revision, Mr. Cook in the chair.

After some time spent thereon, the committee rose, and by their chairman reported titles XXX and XXXII back with sundry amendments, in which the concurrence of the House was asked.

On motion of Mr. Cook, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called, and Messrs. A. C. Baldwin, Barbour, Chubb, Davis, Hand, Hazleton, Jones, Morse, Peck, Scott, Ten Eyck, and Thomas were absent on leave, and Messrs. Brotherson, Dunham, Glen Groves, Leland, Leach, T. Lewis, W. Lewis, Moran, Ord, Parsons, Patterson, Rice and Sprague were absent without leave.

Mr. Pierce asked and obtained leave of absence for Mr. Parsons for the day on account of sickness.

The House then took up title XXX of the proposed revision,

And the question being on concurring in the amendments made in committee of the whole to said title, the amendment, striking out section four of chapter one hundred and fifty-one, was concurred in, and all the amendments to chapter one hundred and fifty-three, except the amendment to the first section, were concurred in, in gross.

The amendment to the first section of said chapter being under consideration, which amendment strikes out the word 'death' at the end of the section, and inserting the words "imprisonment in the state prison for life."

Mr. Edmunds moved to amend the amendment by striking out the words proposed to be inserted, and inserting "solitary confinement at hard labor in the state prison for life," which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. McDonald,	
Andrews,	Graham,	Moran,	
C. Baldwin,	Groves,	Ransom,	
Barrett,	Hawley,	Rice,	
Blair,	Kennedy,	Sprague,	
Cook,	Leland,	Wing,	
Edmunds,			19

NAYS.

Mr. Cole,	Mr. Palmer,	Mr. Toll,	
Glen,	Patterson,	Wakeman,	
Hollister,	Pierce,	Walker,	
W. Lewis,	Sanborn,	Webster,	
Noble,	Sweeney,	Speaker,	
O'Malley,			16

The question then recurring on concurring in the amendment as amended, it was non-concurred in by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. McDonald	
Andrews,	Graham,	Moran,	
Barrett,	Groves,	Peck,	
Blair,	Kennedy,	Rice,	
Brotherson,	Leach,	Wing,	
Edmunds,	T. Lewis,		17

NAYS.

Mr. A. C. Baldwin,	Mr. W. Lewis,	Mr. Sanborn,
C. Baldwin,	Noble	Sprague

Cole,	O'Malley,	Sweeney,
Cook,	Ord,	Toll,
Dunham,	Palmer,	Wakeman,
Glen,	Patterson,	Walker,
Hand,	Pierce,	Webster,
Hollister,	Ransom,	Speaker,
Leland,		25

All of the remainder of the amendments made to the title were concurred in, except the amendment to section twenty-six of chapter one hundred and fifty-four, which amendment was non-concurred in.

Title XXX was then ordered to be engrossed for a third reading.

Title XXXII was then taken up, and all of the amendments made in committee of the whole to the title were concurred in, except the amendment striking out the sixteenth section of chapter one hundred and seventy-two, and the question being on concurring in the amendment striking out said section, it was concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. T. Lewis,
A. C. Baldwin,	Graham,	W. Lewis,
C. Baldwin,	Groves,	Moran,
Barrett,	Hand,	O'Malley,
Cole,	Hawley,	Ord,
Cook,	Leach,	Sweeney,
Dunham,		19

NAYS.

Mr. Blair,	Mr. Patterson,	Mr. Wakeman,
Edmunds,	Peck,	Walker,
Glen,	Pierce,	Webster,
Hollister,	Ransom,	Wing,
Kennedy,	Rice,	Speaker,
McDonald,	Sanborn,	17

On motion of Mr. Groves, the last vote was reconsidered, and the question recurring on the motion to concur in said amendment, it was non-concurred in by yeas and nays as follows:

YEAS.

Mr. Andrews,	Mr. Cook,	Mr. Hawley,
A. C. Baldwin,	Dunham,	Leach,
C. Baldwin,	Giddings,	T. Lewis,
Barrett,	Graham,	Sweeney, 12

NAYS.

Mr. Blair,	Mr. McDonald,	Mr. Rice,
Edmunds,	Moran,	Sanborn,
Glen,	O'Malley,	Sprague,

Groves,	Ord,	Wakeman,	
Hand,	Patterson,	Walker,	
Hollister,	Peck,	Webster,	
Kennedy,	Pierce,	Wing,	
W. Lewis,	Ransom,	Speaker,	24

Mr. Kennedy moved to amend section five, of chapter one hundred and seventy two, by striking out of the second line the word 'two,' and inserting 'one,' which motion was lost.

Title XXXII was ordered to be engrossed and read the third time.

On motion of Mr. Hand, title XXXI of the proposed revision, was taken from the table and recommitted to the committee of the whole.

On motion of Mr. Patterson,

The 'bill in regard to the Erie and Kalamazoo Railroad company,' was taken from the table, and the same being under consideration,

On motion of Mr. Wakeman,

The following proviso was added to section two: 'Provided the aid company shall pay the taxable costs in a certain suit now pending in the court of chancery for a violation of its charter.'

Mr. Patterson moved to amend section one of the bill, by striking out all after the sixteenth line, and inserting the following: 'The rates of transportation for like distances charged or authorized by the state of Michigan to be taken on the Southern Railroad on the first day of January last,' which motion prevailed.

Mr. Patterson moved to add to section five, the words 'in case of any violation of its charter,' which motion was lost by the following vote:

YEAS.

Mr. Blair,	Mr. McDonald,	Mr. Sanborn,	
Brotherson,	Noble,	Sprague,	
Dunham,	O'Malley,	Sweeney,	
Hawley,	Patterson,	Wakeman,	
Kennedy,	Rice,	Walker,	
Leland,			16

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Peck,	
Andrews,	Graham,	Pierce,	
A. C. Baldwin,	Groves,	Ransom,	
C. Baldwin,	Hand,	Toll,	
Cole,	Hollister,	Webster,	
Cook,	Leach,	Wing,	
Edmunds,	T. Lewis,	Speaker,	
Giddings,	Moran,		23

On motion Mr. Patterson, the words, 'by a vote of two thirds of each branch,' were stricken out of section five.

Mr. Hand moved to add the following to section six, 'and the payment into the state treasury of fifty thousand dollars of the price or purchase money to be paid therefor,' which motion was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. Leach,	
Andrews,	Glen,	Moran,	
A. C. Baldwin,	Groves,	Wakeman,	
C. Baldwin,	Hand,	Walker,	
Barrett,	Hollister,	Speaker,	
Dunham,			16

NAYS.

Mr. Blair,	Mr. Leland,	Mr. Rice,	
Brotherson,	McDonald,	Ransom,	
Cook,	Noble,	Sanborn,	
Edmunds,	O'Malley,	Sprague,	
Graham,	Patterson,	Sweeney,	
Hawley,	Peck,	Toll,	
Kennedy,	Pierce,	Webster,	21

Mr. Ransom moved a reconsideration of the last vote, which motion prevailed by yeas and nays as follows:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Patterson,	
C. Baldwin,	Hand,	Peck,	
Barrett,	Leach,	Ransom,	
Cook,	T. Lewis,	Wakeman,	
Dunham,	Moran,	Walker,	
Giddings,	Noble,	Wing,	
Glen,	O'Malley,	Speaker,	
Graham,			23

NAYS.

Mr. Ames,	Mr. Hollister,	Mr. Rice,	
A. C. Baldwin,	Kennedy,	Sprague,	
Blair,	Leland,	Sweeney,	
Edmunds,	McDonald,	Toll,	
Hawley,	Pierce,		14

The question then recurring on the amendment, it prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,	
Andrews,	Groves,	Peck,	
A. C. Baldwin,	Hand,	Ransom,	

C. Baldwin,	Hollister,	Sanborn,	
Barrett,	Leach,	Wakeman,	
Cook,	T. Lewis,	Walker,	
Dunham,	Moran,	Wing,	
Giddings,	Noble,	Speaker,	
Glen,	O'Malley,		26

NAYS.

Mr. Blair,	Mr. Kennedy,	Mr. Rice,	
Brotherson,	Leland,	Sprague,	
Cole,	McDonald,	Sweeney,	
Edmunds,	Pierce,	Toll,	
Hawley,			13

The amendments were ordered to be engrossed, and the bill ordered to a third reading by yeas and nays, as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Hawley,	Mr. Rice,	
C. Baldwin,	Kennedy,	Sanborn,	
Cole,	Leach,	Sprague,	
Cook,	McDonald,	Sweeney,	
Dunham,	Noble,	Toll,	
Giddings,	O'Malley,	Wakeman,	
Glen,	Patterson,	Walker,	
Graham,	Peck,	Wing,	
Groves,	Ransom,	Speaker,	27

NAYS,

Mr. Ames,	Mr. Edmunds,	Mr. Leland,	
Andrews,	Hand,	Moran,	
Barrett,	Hollister,	Pierce,	
Blair,			10

On motion of Mr. Sanborn, the House adjourned.

Thursday, April 23, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called and Messrs. A. C. Baldwin, Barbour, Blair Chubb, Davis, Hazelton, Jones, Morse, Scott, Ten Eyck and Thomas were absent on leave, and Messrs. Ames, Andrews, Brotherson, Edmunds, Leach, O'Malley, Ord, Parsons, Pierce and Sanborn were absent without leave.

Mr. C. Baldwin asked and obtained leave of absence for Mr. Sanborn for an indefinite time on account of sickness.

The journal of yesterday was read and approved.

Mr. Dunham from the committee on claims, reported back the claim of C. Morse, and recommended that it be referred to the committee on ways and means, to be incorporated in the appropriation bills.

The report was accepted and the claim so referred.

Mr. Leland, from the committee on roads and bridges, reported back the Senate 'bill to authorize the supervisors of Saginaw county to build a free bridge across the Cass river at Bridgeport, in said county, and making appropriation therefor,' and the Senate 'bill to authorize the commissioners of highways in certain towns in the county of Calhoun to appropriate and expend non-resident highway taxes in said townships,' without amendment, and recommended their passage.

The report was accepted, and the bills referred to the committee of the whole.

Mr. Patterson from the committee on ways and means, reported a bill to provide for the sale of certain state property,' which was read twice and referred to the committee of the whole.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, the 'bill to legalize the collection and return of taxes for the year 1845, by deputy sheriffs, for different counties in this state.'

The following communication was received from the Governor:

EXECUTIVE OFFICE,
Detroit, April 22, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, 'an act to provide for the completion of the Central Railroad from Jackson to Kalamazoo.'

Also, 'an act to provide for the laying out and establishing certain state roads in the county of Hillsdale.'

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 21, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "bill to amend an act entitled an act to alter, lay out and establish certain state roads therein mentioned, approved March 9, 1843,' which the Senate have

passed and in which the concurrence of the House is respectfully asked.

Also to return the 'bill to confirm the partition of lands owned by Lewis Cass and others, in common with the state of Michigan,' and to respectfully inform you that the Senate have concurred therein.

Also to respectfully inform you that Senators Videto, Kibbee and Thurber have been appointed a committee of conference on the part of the Senate, upon title V of the revision, and the appointment of a like committee on the part of the House is respectfully asked.

Your obedient servant,

JAMES E. PLATT,

Secretary of Senate.

The 'bill to confirm the partition of lands owned by Lewis Cass and others, in common with the state of Michigan,' was ordered to be enrolled.

The 'bill to amend an act entitled an act to alter, lay out, and establish certain state roads therein mentioned, approved March 9, 1843,' was read twice and referred to the committee of the whole.

On motion of Mr. Hand,

It was ordered that a committee of conference be appointed on the disagreement between the two houses on title V of the proposed revision, and the Speaker appointed as such committee Messrs. Hand, C. Baldwin and Leach.

The following communication was announced:

SENATE CHAMBER,
Detroit, April 21, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a "concurrent resolution relative to a committee of conference upon the proposed revision," which the Senate have adopted and in which the concurrence of the House is respectfully asked.

Also to inform you that Senators Green, Fenton and Smith have been appointed a committee on the part of the Senate under said resolution.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The concurrent resolution relative to a committee of conference on the proposed revision, was read twice and referred to the committee of the whole.

Mr. Ames from the committee of conference on title XVIII of the proposed revision, reported that the committee had not been able to agree on said title, and asked to be discharged from the further consideration of the subject.

The report was accepted and the committee discharged.

On motion of Mr. A. C. Baldwin,

It was ordered that a committee of conference be appointed on the disagreement between the two Houses on said title XVIII, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee Messrs. A. C. Baldwin, Noble and Blair.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Hand moved a reconsideration of the vote by which the House refused to order the bill amendatory of the several acts touching licenses, to be engrossed for a third reading, and on his motion, the motion to reconsider was laid on the table.

The Speaker announced the reception of a communication from Capt. Richards, of the steamboat Niagara, inviting the members of the Legislature to a pleasure trip, this afternoon at two o'clock.

On motion of Mr. O'Malley,

Resolved, That the invitation be accepted, and that when the House adjourns, it will adjourn to meet at nine o'clock to-morrow morning.

On motion of Mr. Ames,

The 'bill to regulate associations and partnerships for mining purposes,' was taken from the table.

Mr. Leland asked and obtained leave of absence for Mr. Parsons for an indefinite period, on account of sickness.

THIRD READING OF BILLS.

The 'bill to legalize the collection and return of taxes for the year 1845, by deputy sheriffs in different counties of this state,' was read the third time and passed.

The 'bill in regard to the Erie and Kalamazoo railroad company' was read the third time, when

Mr. Hand moved to lay the bill on the table, which motion was lost.

The question recurring on the passage of the bill, it was passed by a two-thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Ord,	
A. C. Baldwin,	Groves,	Palmer,	
C. Baldwin,	Hawley,	Patterson,	
Blair,	Kennedy,	Rice,	
Chubb,	Leland,	Sprague,	
Cole,	T. Lewis,	Sweeney	
Cook,	W. Lewis,	Toll,	
Dunham,	McDonald,	Wakeman,	
Edmunds,	Noble,	Walker,	
Glen,	O'Malley,	Speaker,	30

NAYS.

Mr. Ames,	Mr. Hand,	Mr. Ransom,	
Barrett,	Hollister,	Webster,	
Giddings,	Pierce,	Wing,	9

The question being on the title of the bill, Mr. Pierce moved to amend by substituting the following, which motion was lost:

An act to renew an act entitled an act to incorporate the Erie and Kalamazoo Railroad company, and also to renew an act entitled an act to amend an act entitled an act to incorporate the Erie and Kalamazoo railroad company, and which is not to be construed so as to renew an act entitled an act to incorporate the Erie and Kalamazoo Railroad Bank, and is not to take effect until after the time that an act entitled an act for the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad company shall take effect, which said act is not to take effect until after an act entitled an act for the sale of the Michigan Central Railroad and to incorporate the Michigan Central railroad company, shall take effect.

By common consent, the following message was announced:

SENATE CHAMBER,
April 22, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the bill to authorize the sale of the Southern Railroad and to incorporate the Southern railroad company,' which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

Very respectfully,

JAMES E. PLATT,
Secretary of Senate.

The Senate amendments to the 'bill to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad company,' were concurred in, in gross, and the bill as amended was concurred in by the following vote, two-thirds voting in the affirmative;

YEAS.

Mr. A. C. Baldwin,	Mr. Hollister,	Mr. Peck,	
C. Baldwin,	Kennedy,	Ransom,	
Cole,	T. Lewis,	Rice,	
Dunham,	W. Lewis,	Sprague,	
Giddings,	McDonald,	Sweeney,	
Glen,	Moran,	Toll,	
Graham,	Noble,	Wakeman,	
Groves,	O'Malley,	Walker,	
Hand,	Ord,	Webster,	
Hawley,	Patterson,	Wing,	30

NAYS.

Mr. Andrews,	Mr. Chubb,	Mr. Leland,	
Blair,	Edmunds,	Pierce,	
Brotherson,			7

Mr. Noble moved a reconsideration of the last vote, which motion was lost, and the bill was ordered to be enrolled.

On motion of Mr. Sweeney, the House adjourned.

Friday, April 24, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Barbour, Davis, Hand, Hazleton, Jones, Morse, Parsons, Scott, Ten Eyck and Thomas were absent on leave, and Messrs. Ames, Brotherson, Dunham, Graham, Kennedy, Leach, Moran, Ord and Patterson were absent without leave.

Mr. C. Baldwin asked and obtained leave of absence for Mr. Dunham for one week.

Mr. Cook for Mr. Graham for the same time,

Mr. Chubb for Mr. Leach for an indefinite time.

The journal of yesterday was read and approved.

Mr. Leland, from the committee on roads and bridges, reported

back without amendment, the Senate 'bill to amend an act to alter, lay out and establish certain state roads therein mentioned, approved March 9, 1843,' and recommended its passage.

The report was accepted and the bill referred to the committee of the whole.

The following communication was announced:

EXECUTIVE OFFICE,
Detroit, April 23, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, 'an act to authorize the electors of school district number one, in the township of Flint, in the county of Genesee, and school district number eleven, in the township of Coldwater, and county of Branch, to raise a tax for the erection of a school house in said districts;'

Also, 'an act in relation to the official acts of masters in chancery in certain cases;'

Also, 'an act authorizing Sandy McLeod to build a dam across Sheboygan river, in the county of Sheboygan;'

Also, 'an act to provide for the laying out of certain state roads;'

Also, 'an act to amend an act to provide for the sale of certain unsold state tax lands and for other purposes, approved February seventeenth, eighteen hundred and forty-six;'

Also, 'an act to provide for the re-assessment of certain taxes in the township of Stockbridge, Ingham county, and in the township of Woodstock, Lenawee county, and in the township of Wright, Hillsdale county;'

Also, a 'joint resolution relative to the leasing of the Clinton and Kalamazoo canal.'

ALPHEUS FELCH.

The 'bill to regulate associations and partnerships for mining purposes,' came up as unfinished business, and was ordered to a third reading.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Cook in the chair.

And after some time spent thereon, the committee rose, and by their chairman reported title XXXI back with sundry amendments, in which the concurrence of the House was asked.

The amendments were concurred in, in gross, and the title was ordered to be engrossed for a third reading.

The House then resolved itself into committee of the whole on the general order, Mr. C. Baldwin in the chair.

After some time spent thereon, the committee rose and by their chairman reported back to the House without amendment a 'bill to authorize the supervisors of Saginaw county to build a free bridge across Case river, at Bridgeport in said county, and making appropriation therefor;'

A 'bill to provide for the sale of certain state property;'

A 'bill to authorize the commissioners of highways in certain towns in the county of Calhoun to appropriate and expend non-resident highway taxes in the said township;'

A 'bill to amend an act entitled an act relative to the city of Detroit;' and

A 'bill to amend an act entitled an act to alter, lay out and establish certain state roads therein mentioned, approved March 9, 1843.'

Also reported back with sundry amendments, in which the concurrence of the House was asked, a 'bill relative to warehousing and forwarding;'

A 'concurrent resolution relative to a committee of conference on the proposed revision;' and

A 'bill to authorize the commissioners of the township of Hanover in the county of Jackson, to discontinue and alter all that part of the state road where it crosses sections one and two in said township.'

The amendments to the last named bill were concurred in, and the bill ordered to a third reading.

The amendment to the 'bill relative to warehousing and forwarding,' was concurred in, and the bill ordered to a third reading.

The 'bill to amend an act entitled an act to alter, lay out and establish certain state roads therein mentioned, approved March 9, 1843,' and

The 'bill to authorize the commissioners of highways in certain towns in the county of Calhoun to appropriate and expend non-resident highway taxes in the said townships,' were severally ordered to a third reading.

The 'bill to provide for the sale of certain state property,' and

The 'bill to amend an act entitled an act relative to the city of Detroit,' were severally ordered to be engrossed and read the third time.

On motion of Mr. Hand,

The concurrent resolution relative to a committee of conference on the proposed revision,' together with the amendments were laid on the table.

The 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river, at Bridgeport, in said county, and making appropriation therefor,' being under consideration, it was amended,

On motion of Mr. Hawley,

By striking out the word 'three,' before 'thousand,' in the first line of section two, and the word 'two' inserted.

Mr. Andrews moved to strike out all after the enacting clause, which motion was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Cole,	Mr. Hand,	
Andrews,	Cook,	Hawley,	
Barrett,	Edmunds,	McDonald,	
Chubb,	Glen,	Sweeney,	12

NAYS.

Mr. A. C. Baldwin,	Mr. Moran,	Mr. Sanborn,	
C. Baldwin,	Noble,	Sprague,	
Giddings,	O'Malley,	Wakeman,	
Groves,	Palmer,	Walker,	
Hollister,	Pierce,	Webster,	
Kennedy,	Ransom,	Wing,	
Leland,	Rice,	Speaker,	
W. Lewis,			22

Mr. Andrews moved to lay the bill on the table, which motion was lost, and the bill ordered to a third reading.

On motion of Mr. Hawley,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Patterson, by unanimous consent reported a 'joint resolution relative to the board of internal improvement,' which was read twice and referred to the committee of the whole.

On motion of Mr. Sweeney,

The committee on the judiciary were discharged from the further consideration of titles XXVI, XXVII, and XXVIII of the proposed revision, and said titles were referred to the committee of the whole.

The House went into committee of the whole on the proposed revision, Mr. Glen in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back titles XXVI, XXVII and XXVIII with sundry amendments in which the concurrence of the House was asked.

The first amendment to title XXVI was non-concurred in, and the remainder of the amendments were concurred in in gross.

The amendments to title XXVII were concurred in in gross.

On motion of Mr. Hand,

The first amendment to title XXVIII was amended by striking out therefrom the words 'the state,' and inserting 'such county,' and the amendment as amended was concurred in.

The remainder of the amendments to said title were concurred in in gross.

Titles XXVI, XXVII and XXVIII of the proposed revision, were severally ordered to be engrossed for a third reading.

Mr. A. C. Baldwin, from the committee of conference on title XVIII of the proposed revision, by common consent made the following report, which was laid on the table.

"The committee of conference on title XVIII, recommend that the House recede from their disagreement to the first, fourth, fifth, sixth, and seventh Senate amendments to said title, and that the House insist on their disagreement to the second and third amendments thereto.

Mr. W. Lewis, from the committee on engrossment and enrollment, reported Titles XXX, XXXI, and XXXII of the proposed revision as correctly engrossed, and the same were severally read the third time and passed.

On motion of Mr. Hand,

The concurrent resolution relative to a committee of conference on the proposed revision, was taken from the table, and the amendment made in committee of the whole was concurred in, and the resolution ordered to be read the third time.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed,

A 'bill to provide for the sale of certain state property,' and

A 'bill to amend an act entitled an act relative to the city of Detroit.'

On motion of Mr. Cole,

The House adjourned.

Saturday, April 25, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, Barbour, Davis, Dunham, Graham, Hazleton, Jones, Leach, Morse, Parsons, Peck, Scott, Ten Eyck, Thomas and Walker, were absent on leave, and Messrs. Ames, Edmunds, Hollister, Leland, Sanborn and Wing, were absent without leave.

Mr. Webster asked and obtained leave of absence for Mr. Wing.

Mr. Pierce for Mr. Leland for an indefinite time, on account of sickness.

Also, for Mr. Edmunds, till Tuesday next.

Mr. Blair, from the minority of the committee on the judiciary, submitted a report, accompanying the 'joint resolution proposing to amend the second article of the constitution relative to the elective franchise,' together with sundry petitions on that subject, which report was read, accepted, and

On motion of Mr. Hawley, ordered to be printed, and

The joint resolution was referred to the committee of the whole.

Mr. Noble, from the committee on the judiciary, reported back titles XXIII and XXV, of the proposed revision, and the titles were referred to the committee of the whole.

Mr. Hawley, from the committee on banks and incorporations, reported a 'bill to repeal the charter of the village of Kalamazoo,' which was read twice and referred to the committee of the whole.

Mr. Ames, from the committee on engrossment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'bill to authorize the Governor to issue patents in certain cases;'

A 'bill to amend an act entitled an act relative to Free Schools in the city of Detroit, approved February 17, 1842;'

A 'bill to amend an act entitled 'an act to incorporate the Troy and Rochester Railroad company,' approved March 12, 1844;'

A 'bill to incorporate the Marshall and Union City plank road company;'

A 'bill to amend an act entitled 'an act to incorporate the village of Jackson,' approved March 7, 1843, and the act amendatory thereof, approved Feb. 20, 1844;'

A 'bill to amend an act entitled an act to incorporate the village of Allegan, approved March 20, 1838."

A 'bill to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March 9, 1844;'

A 'bill to provide for the payment of balances of accounts due for construction and completion of the branch of the Southern Railroad, during the year 1845;' and

A 'bill to authorize William Laird and Sarah Bliss to execute a mortgage upon certain lands in St. Joseph county.'

On motion of Mr. Hand,

The committee on judiciary were discharged from the further consideration of the petitions relative to the draining of a marsh on Gross Point, in the township of Hamtramck, and these petitions were referred to the committee on roads and bridges.

On motion of Mr. Walker,

Leave was granted to the committee to sit during this day on said petitions.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 24, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to transmit a 'bill to incorporate the Phi Phi Alpha Society of the University of Michigan;'

A 'bill to incorporate the Alpha Nu Society of the University of Michigan;'

A 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of St. Clair, approved March 28, 1836;'

A 'bill to provide for the construction of a ship canal around the Sault Ste Marie, and to incorporate the Lake Superior Canal Company,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also to return the 'bill to change the time for the collection of taxes in the county of Chippewa, and for other purposes,' and to respectfully inform you that the Senate have concurred therein.

Also to return the 'bill to legalize the collection and return of taxes for the year 1845, by deputy sheriffs in different counties of this state;'

The 'bill to amend an act entitled an act to incorporate the Detroit and Shelby Railroad Company;'

The 'bill to authorize the township of Pewanágawink to hold a township meeting therein, and for other purposes;'

The 'bill to organize the township of South Haven, in the county of Van Buren, and for other purposes,' and

A 'bill to authorize James Burroughs to erect a dam across Flat river in the county of Kent,' which several bills the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also to transmit a 'bill to amend an act entitled an act to liquidate the public debt, and to provide for the payment of the interest thereon, and for other purposes, approved March 8, 1843,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also to respectfully inform you that the Senate have concurred in the report of the last committee of conference upon title XVIII of the revision, and have receded from their second and third amendments to said title.

Also to return titles XII and XVII of the revision, and to inform you that the Senate have passed the same to a third reading and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The 'bill to change the time for the collection of taxes in the

county of Chippewa and for other purposes,' was ordered to be enrolled.

The 'bill to incorporate the Phi Phi Alpha society of the university of Michigan,' and

The 'bill to incorporate the Alpha Nu society of the university of Michigan,' were severally read twice and referred to the committee on banks and incorporations.

The 'bill to amend an act entitled an act to liquidate the public debt, and to provide for the payment of interest thereon, and for other purposes, approved March 8, 1843,' was read twice and referred to the committee on ways and means.

The 'bill to provide for the construction of a ship canal around the Sault Ste Marie, and to incorporate the Lake Superior Canal Company,' and

The 'bill to repeal an act entitled an act to incorporate the stockholders of the bank of St. Clair, approved March 28, 1836,' were severally read twice and referred to the committee on banks and incorporations.

The Senate amendments to the 'bill to legalize the collection and return of taxes for the year 1845, by deputy sheriffs in different counties of this state,' were concurred in, and the bill as amended was concurred in, and ordered to be enrolled.

The Senate amendments to the 'bill to organize the township of South Haven, in the county of Van Buren, and for other purposes,' were non-concurred in.

On motion of Mr. Walker,

The 'bill to authorize the township of Pewonagawink, to hold a township meeting therein, and for other purposes,' together with the Senate amendments thereto, was laid on the table.

On motion of Mr. C. Baldwin,

The 'bill to authorize James Burroughs to erect a dam across Flat river, in the county of Kent, together with the Senate amendments thereto, was laid on the table.

The House then took up title XII of the proposed revision, and the question being on concurring in the Senate amendments thereto,

The first amendment, striking out 'eight hundred,' and inserting

'one thousand,' in the first line of section three, chapter fifty nine, it was non-concurred in.

Mr. Patterson moved a reconsideration of the last vote, which motion prevailed, and the question recurring on concurring in the amendment, it was non-concurred in by the following vote:

YEAS.

Mr. Glen,	Mr. Moran,	Mr. Sweeney,	
Groves,	O'Malley,	Toll,	
Hand,	Patterson,	Walker,	
Hollister,	Sprague,	Speaker,	12

NAYS.

Mr. Ames,	Mr. Chubb,	Mr. Palmer,	
Andrews,	Cook,	Pierce,	
A. C. Baldwin,	Giddings,	Ransom,	
C. Baldwin,	Hawley,	Rice,	
Barrett,	Kennedy,	Sanborn,	
Blair,	T. Lewis,	Wakeman,	
Brotherson,	McDonald,	Webster,	21

All of the remainder of the Senate amendments to the title, except the twelfth, were severally concurred in.

The twelfth amendment being under consideration, it was,

On motion of Mr. Blair, amended by striking out therefrom the word 'five' and inserting 'four.'

The amendment, as amended was concurred in, and title XII, as amended, was concurred in.

The House then took up title XVII, and the question being on concurring in the Senate amendments thereto, they were all concurred in, the title as amended was concurred in and ordered to be enrolled.

The 'bill to amend an act entitled an act to incorporate the Detroit and Shelby railroad company,' being under consideration, and the question being on concurring in the Senate amendments thereto, the same were amended,

On motion of Mr. Hand, by striking out of the fifth line of section six, the word 'ten' and inserting 'five,' and add after the word 'thereafter' in the sixth line of the same section, the words 'on the capital stock paid in, and also on loans made to the company,' and the amendment as amended was then concurred in.

The question then recurring on concurring in the bill as amended, it was concurred in by a two thirds vote as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Patterson,
C. Baldwin,	Hawley,	Ransom,
Barrett,	Hollister,	Rice,
Blair,	Kennedy,	Sanborn,
Chubb,	W. Lewis,	Sprague,
Cole,	Moran,	Wakeman
Giddings,	O'Malley,	Walker,
Glen,	Palmer,	Webster,
Groves,		25

NAYS.

Mr. Andrews,	Mr. McDonald,	Mr. Toll,
Cook,	Pierce,	Speaker,
T. Lewis,	Sweeney,	8

The report of the committee of conference on title XVIII, laid on the table last night, was taken up and accepted.

The question then being on receding from their disagreement to, and concurring in the first, fourth, fifth, sixth and seventh Senate amendments to said title, it was decided in the affirmative, and the title was then ordered to be enrolled.

Mr. Ames from the committee on engrossment and enrollment, reported as correctly engrossed titles XXVI, XXVII and XXVIII of the proposed revison.

Mr. Hawley from the committee on banks and incorporations, by common consent, reported back, without amendment, the 'bill to incorporate the Alpha Nu society of the University of Michigan,' and the 'bill to incorporate the Phi Phi Alpha society of the University of Michigan,' and reported adverse to their passage.

The report was accepted, and the bills referred to the committee of the whole.

On motion of Mr. Andrews, the vote was reconsidered by which the House non-concurred in the Senate amendments to the 'bill to organize the township of South Haven, in the county of Van Buren, and for other purposes,' and the question recurring on concurring in the Senate amendments to said bill, the same were,

On motion of Mr. Andrews,

Amended by striking out therefrom the fourth section, and inserting the following, viz:

Sec. 4. So much of this act as relates to the township of South Haven, in the county of Van Buren, shall take effect and be in force

from and after its passage; and so much as relates to the township of Orangeville, in the county of Barry, shall take effect and be in force from and after the first day of April next.

The amendments as amended were then concurred in.

Mr. W. Lewis, from the committee on roads and bridges, by common consent, reported a 'bill to authorize the draining of Gross Point Marsh, in the township of Hamtramck, Wayne county,' which was read twice, referred to the committee of the whole, and ordered to be printed.

THIRD READING OF BILLS.

Titles XXVI, XXVII and XXVIII, of the proposed revision, were severally read the third time.

The following bills were severally read the third time and passed, viz:

A 'bill to authorize the commissioners of highways in certain towns in the county of Calhoun, to appropriate and expend non-resident highway taxes in the said townships;'

A 'bill to provide for the sale of certain state property;'

A 'bill to amend an act entitled an act to alter, lay out, and establish certain state roads therein mentioned, approved March 9, 1843;'

A 'bill to authorize the commissioners of the township of Hanover, in the county of Jackson, to discontinue and alter all that part of the state road, where it crosses sections one and two in said township;'

A 'bill relative to warehousing and forwarding;'

A 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river at Bridgeport, in said county, and making appropriation therefor;' and

A 'concurrent resolution relative to a committee of conference on the proposed revision;'

The 'bill to amend an act entitled an act relative to the city of Detroit,' was read the third time and passed by a two thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Patterson,
A. C. Baldwin,	Hollister,	Pierce,
Barrett,	Kennedy,	Ransom,
Blair,	T. Lewis,	Rice,

Cole,	W. Lewis,	Sprague,	
Cook,	McDonald,	Sweeney,	
Giddings,	Moran,	Toll,	
Glen,	O'Malley,	Walker,	
Groves,	Palmer,	Webster,	
Hand,			26

NAYS.

Mr. Brotherson, Mr. Wakeman, Mr. Speaker, 3

The 'bill to regulate mining associations, and partnerships for mining purposes,' was read the third time, when,

On motion of Mr. Hand, the further consideration of the bill was postponed till Tuesday next.

On motion of Mr. Moran, the House adjourned.

—

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Toll, the House resolved itself into committee of the whole on the proposed revision, Mr. Walker in the chair.

After some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration title XXIII, on which they had made some progress, and asked and obtained leave to sit again.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 25, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title XII of the revision, and to respectfully inform you that the Senate insist upon their first amendment, and have concurred in the House amendment to the twelfth Senate amendment to said title.

Also to inform you that the Senate have concurred in the House amendments to the Senate amendments to the 'bill to amend an act entitled an act to incorporate the Detroit and Shelby Rail-road company,' and to the 'bill to organize the township of South Haven, in the county of Van Buren, and for other purposes, which are herewith returned. Also to return the 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river at Bridgeport in said county, and making appropriation therefor,' and to respectfully

inform you that the Senate have non-concurred in the House amendments thereto.

Also to respectfully inform you that the Senate have concurred in the House amendments to the 'bill relative to warehousing and forwarding.'

And the 'bill to authorize the commissioners of the township of Hanover, in the county of Jackson, to discontinue and alter all that part of the state road where it crosses sections one and two in said township,' and have ordered the bills as amended to be enrolled.

Also, to respectfully inform you that the Senate have concurred in the House amendment to the 'concurrent resolution relative to a committee of conference on the proposed revision,' and have adopted the rule as received from the House.

Also to return the 'bill to amend an act entitled an act to incorporate the village of Ann Arbor, approved April 23, 1833.'

And the 'bill for the relief of the purchasers of certain lands in the township of Lima,' which the Senate have passed with amendments in which they respectfully ask the concurrence of the House.

Your ob't serv't,

JAMES E. PLATT,

Secretary of Senate.

The 'bill to amend an act entitled an act to incorporate the Detroit and Shelby Railroad company,' and

The 'bill to organize the township of South Haven, in the county of Van Buren, and for other purposes,' were ordered to be enrolled.

Title XII being under consideration, and the question being on receding from their disagreement to the first Senate amendment to said title, the House receded by the following vote:

YEAS.

Mr. Andrews,	Mr. Hollister,	Mr. Sprague,	
C. Baldwin,	W. Lewis,	Sweeney,	
Cole,	O'Malley,	Wakeman,	
Glen,	Ord,	Walker,	
Groves,	Patterson,	Speaker,	
Hand,			16

NAYS.

Mr. Barrett,	Mr. Cook,	Mr. McDonald,	
Blair,	Giddings,	Pierce,	
Brotherson,	Hawley,	Sanborn,	
Chubb,	Kennedy,		11

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The first Senate amendment was then concurred in, and the title as amended was concurred in.

The House then took up the 'bill for the relief of the purchasers of certain lands in the township of Lima,' were concurred in, and the bill as amended concurred in, and ordered to be enrolled.

The Senate amendment to the 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river at Bridgeport, in said county, and making appropriations therefor,' and the question being on receding from the House amendment thereto, it prevailed.

On motion of Mr. Hand,

The vote was reconsidered by which the House receded from said amendment; and

On motion of Mr. Blair,

The bill was laid on the table.

On motion of Mr. Chubb,

The 'bill to amend the charter of the village of Ann Arbor,' together with the Senate amendments thereto, were laid on the table.

Mr. Ord, from the committee on engrossment and enrollment, reported titles XIII, XIV and XIX of the proposed revision, as correctly enrolled, and that the same were this day deposited with the Governor.

On motion of Mr. Hand,

The House adjourned.

Monday, April 27, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called and Messrs. A. C. Baldwin; Barbour, Dunham, Edmunds, Graham, Hazleton, Jones, Leland, Leach, Morse, Noble, Parsons, Scott, Ten Eyck, Thomas, Walker and Wing were absent on leave, and Messrs. Ames, Ord, and Palmer were absent without leave.

The journal of Saturday was read and approved.

Mr. Ransom presented the remonstrance of Wm. R. Watson, and

others, against the repeal of the charter of the village of Kalamazoo; referred to the committee of the whole.

Mr. Hawley, from the committee on banks and incorporations, reported back without amendment, the 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of St. Clair, approved March 28, 1836,' and recommended its passage, and the bill was referred to the committee of the whole.

Mr. Peck, from the select committee to whom was referred title XXI of the proposed revision, together with the Senate amendments thereto, reported the same back with sundry amendments, and

On motion of Mr. Blair, the report was laid on the table and ordered to be printed.

Mr. A. C. Baldwin offered the following joint resolution, which was adopted:

Resolved by the Senate and House of Representatives of the State of Michigan, That this legislature will adjourn sine die on Monday the eleventh day of May, 1846, at twelve o'clock, noon.

On motion of Mr. Patterson, the 'bill to repeal an act to provide for the draining of swamps, marshes, and other low lands, approved April 18, 1839,' was taken from the table.

On motion of Mr. Chubb,

The 'bill to amend the charter of the village of Ann Arbor,' was taken from the table.

The House then took up the 'bill to repeal an act to provide for the draining of swamps, marshes and other low lands, approved April, 18, 1839;' and,

On motion of Mr. Patterson,

Section fifteen was stricken out, and the following was inserted in lieu thereof, viz:

Sec. 15. The provisions of this act shall not be enforced or take effect in any township or townships at any annual township meeting unless the voters shall determine by a viva voce vote that the same shall be enforced.

On motion of Mr. Hand,

The bill was referred to a select committee with general instructions; and the Speaker appointed as such committee Messrs. Hand, Patterson and Groves.

The House then took up the 'bill to amend the charter of the village of Ann Arbor,' and the question being on concurring in the Senate amendments thereto, they were concurred in, in gross.

And the bill as amended was concurred in by a two-thirds vote, as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Giddings,	Mr. Patterson,	
C. Baldwin,	Groves,	Pierce,	
Barrett,	Hawley,	Ransom,	
Blair,	Kennedy,	Sanborn,	
Brotherson,	W. Lewis,	Sprague,	
Chubb,	McDonald,	Sweeney,	
Cole,	O'Malley,	Wakeman,	
Cook,	Ord,	Walker,	
Davis,	Palmer,	Speaker,	27

NAYS.

Mr. Hollister,	Mr. Toll,	2

The bill was then ordered to be enrolled.

On motion of Mr. Patterson,

The House went into committee of the whole on the proposed revision, Mr. Walker in the chair.

After some time spent thereon, the committee rose, and through their chairman reported back title XXIII with sundry amendments in which the concurrence of the House was asked.

Mr. Groves asked and obtained leave of absence for Mr. Webster, for an indefinite period, on account of sickness in his family.

On motion of Mr. Chubb, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Title XXIII of the proposed revision was taken up for consideration

The question being on concurring in the amendment made to the title in committee of the whole, and all the amendments were concurred in, in gross, except the four additional sections to stand as sections fifty, fifty-one, fifty-two and fifty-three of chapter 108.

The amendment proposing these additional sections being under consideration,

Mr. Walker moved to amend section 51 by striking out the word 'under,' and inserting 'either by virtue of or in oposition to,' which motion prevailed.

Mr. Hand moved to amend section 50 by striking out the words 'or the auditor general or any county treasurer, or other person or body corporate authorized by any statute to make sale of land for non-payment of taxes,' which motion was lost.

The amendment proposing the four additional sections, as amended, was then concurred in by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. T. Lewis,	Mr. Ransom,	
Cole,	W. Lewis,	Rice,	
Cook,	Moran,	Sanborn,	
Davis,	Noble,	Sprague,	
Giddings,	O'Malley,	Sweeney,	
Groves,	Palmer,	Toll,	
Hollister,	Patterson,	Wakeman,	
Kennedy,	Peck,	Speaker,	24

NAYS.

Mr. Barrett,	Mr. Brotherson,	Mr. Pierce,	
Blair,	Chubb,	Walker,	6

Title XXIII was then ordered to be engrossed for a third reading.

Mr. Groves asked and obtained leave of absence for Mr. Walker until Saturday next.

Mr. Rice for Mr. Brotherson for the same time.

Mr. Brotherson, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'bill to provide for improving the public highway from Bellevue to Charlotte, in Eaton county;'

A 'bill to legalize the collection and return of taxes by deputy sheriffs in different counties of this state, and for other purposes;'

A 'bill to incorporate the Vermontville Academical Association;'

A 'bill to amend an act entitled an act to incorporate the Detroit and Grand River plank road company, approved March 12, 1844,'

A 'bill to incorporate the Flint River and Saginaw navigation company;'

A 'bill to incorporate the Utica and Detroit city plank road company;' and

A 'bill to change the time for the collection of taxes in the county of Chippewa and for other purposes.'

The House then resolved itself into committee of the whole on the general order, Mr. Ames in the chair.

After some time spent thereon, the committee rose and reported back without amendment a 'joint resolution relative to the board of internal of improvement;'

A 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of St. Clair, approved March 28, 1836;'

A 'bill to repeal the charter of the village of Kalamazoo;' and

A 'bill for the taxation of dogs and for other purposes.'

Also reported back with sundry amendments, in which the concurrence of the House was asked,

A 'bill to incorporate the Alpha Nu Society of the University of Michigan;'

A 'bill to incorporate the Phi Phi Alpha Society of the University of Michigan;' and

A 'bill to authorize the draining of Gross Point Marsh, in the township of Hamtramck, in Wayne county.'

The 'bill to repeal the charter of the village of Kalamazoo' was ordered to be engrossed for a third reading.

The amendment striking out the first section of the 'bill to incorporate the Phi Phi Alpha society of the University of Michigan' was concurred in, and

On motion of Mr. Hawley,

The remainder of the bill was stricken out.

On motion of Mr. Peck, the title to the bill was laid on the table.

The amendment striking out all after the enacting clause of the 'bill to incorporate the Alpha Nu society of the University of Michigan,' was concurred in, and

On motion of Mr. Peck,

The title and enacting clause of the bill were laid on the table.

The 'bill for the taxation of dogs and for other purposes,' was ordered to be engrossed for a third reading.

On motion of Mr. Patterson, the 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of St. Clair, approved March 28, 1836,' was laid on the table.

Mr. Pierce moved to lay the 'joint resolution relative to the board of internal improvement,' on the table, which motion was lost.

Mr. Blair moved to amend the joint resolution by striking out the words 'its passage,' and insert 'the first day of August next,' which motion was lost.

Mr. Chubb moved ot postpone the further consideration of the joint resolution till Friday next, which motion was lost.

Mr. Brotherson moved to add the following proviso to the joint resolution, which motion was lost, viz:

'Provided, That an arrangement be first made with the incorporators of the Central Railroad Company, by the said board, by which said incorporators shall agree to take the additional property added to the road, and pay the state for the same, in case they accept the charter.'

Mr. Hawley moved to add the following proviso, which motion was lost, viz:

'Provided, That if no arrangement can be made with the Central Railroad Company to pay for such new locomotives as the board of internal improvement shall deem best to purchase, then such new locomotives shall not be placed upon said road before the first of September next.

The joint resolution was then ordered to be engrossed for a third reading by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Hand,	Mr. Peck,	
Barrett,	Hollister,	Rice,	
Chubb,	W. Lewis,	Sprague,	
Cole,	Moran,	Sweeney,	
Cook,	Noble,	Toll,	
Davis,	O'Malley,	Wakeman,	
Glen,	Palmer,	Speaker,	
Groves,	Patterson,		23

NAYS.

Mr. Ames,	Mr. Hawley,	Mr. Pierce,	
Blair,	Kennedy,	Sanborn,	
Brotherson,	T. Lewis,	Ransom,	9

The amendments to the 'bill to authorize the draining of Gross Point Marsh, in the township of Hamtramck, in Wayne county,' were severally concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Brotherson from the committee on engrossment and enrollment, reported as correctly engrossed, title XXIII of the proposed revision; and also,

A 'bill to repeal the charter of the village of Kalamazoo,' and

A 'bill for the taxation of dogs, and for other purposes.'

Also reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'bill to incorporate the Corunna and Northampton Turnpike Company;'

A 'bill for the relief of the purchasers of certain lands in Lima,' and

A 'bill for the relief of William McDermott.'

On motion of Mr. Palmer,

The House adjourned.

Tuesday, April 28, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Inglis.

The roll was called, and Messrs. A. C. Baldwin. Brotherson, Dunham, Edmunds, Graham, Hazleton, Jones, Leland, Leach, Morse, Parsons, Peck, Ten Eyck, Thomas, Walker and Webster, were absent on leave, and Messrs. McDonald and Ord were absent without leave.

The journal of yesterday was read and approved.

Mr. Blair presented the petition of sundry citizens of Leoni, in the county of Jackson, for a law authorizing the alteration of the line of the territorial road in said township; referred to the committee on roads and bridges.

Also, presented the petition of the trustees of the first Presbyterian society of Grass Lake, Jackson county, for authority to convey certain real estate; referred to the committee on the judiciary.

The Speaker appointed as the committee of conference on the part of the House, to whom was referred that part of the proposed revision which has been read the third time, Messrs. Hand, Peck and Edmunds.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, a 'bill to authorize the draining of Gross Point Marsh, in the township of Hamtramck, in Wayne county;' and

A 'joint resolution relative to the board of internal improvement.'

Mr. Hand, from the select committee on the sale of the public works, reported a 'bill to create a board of sale;' and a 'bill supple-

mentary to an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company,' which bills were read twice, referred to the committee of the whole and ordered to be printed.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 27, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill to provide for the sale of certain state property,' which the Senate have passed with an amendment in which the concurrence of the House is respectfully asked.

Also to transmit a 'bill to amend an act entitled an act to provide for the voluntary dissolution of corporations and to prescribe the duties of receivers,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also to return the following entitled bills which the Senate have passed with amendments in which the concurrence of the House is respectfully asked:

The 'bill to incorporate the Battle Creek and Grand Rapids railroad company,'

The 'bill to incorporate the Kalamazoo and Grand Rapids railroad company;' and

The 'bill to incorporate the Grand River Valley railroad company,

Respectfully, &c.,
JAMES E. PLATT,
Secretary of Senate.

The Senate amendment to the 'bill to provide for the sale of certain state property' was concurred in, and the bill as amended was concurred in and ordered to be enrolled.

The 'bill to amend the act entitled an act to provide for the voluntary dissolution of corporations and to prescribe the duties of receivers,' was read twice and referred to the committee of the whole.

The Senate amendments to the 'bill to incorporate the Battle Creek and Grand Rapids railroad company,' were concurred in, in gross, and the bill as amended was concurred in by a two thirds vote as follows:

YEAS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Scott,	
C. Baldwin,	Hollister,	Sprague,	
Barbour	Kennedy,	Sweeney	
Barrett,	Moran,	Toll,	
Blair,	Patterson,	Wakeman,	
Chubb,	Peck,	Wing,	
Davis	Ransom,	Speaker,	
Giddings,	Rice,		23

NAYS.

Mr. Andrews,	Mr. W. Lewis,	Mr. Sanborn,	
T. Lewis,	Pierce,		5

The bill was then ordered to be enrolled.

The first, second, third, fourth, fifth and seventh Senate amendments to the bill to incorporate the Kalamazoo and Grand Rapids railroad company, were severally concurred in, and the sixth amendment which inserts after the word 'Kalamazoo' in the second line of section three, the words 'by way of the village of Allegan, in the county of Allegan,' was concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Peck	
A. C. Baldwin,	Hollister,	Rice,	
C. Baldwin,	W. Lewis,	Scott,	
Barbour	Moran,	Sprague,	
Cole,	Noble,	Sweeney,	
Cook,	Palmer,	Wing,	
Davis	Patterson,	Speaker,	21

NAYS.

Mr. Ames,	Mr. Giddings,	Mr. Pierce,	
Barrett,	Hawley,	Ransom,	
Blair,	Kennedy,	Sanborn,	
Chubb,	T. Lewis,		11

The bill as amended was then non-concurred in by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Patterson,	
C. Baldwin,	Hawley,	Rice,	
Barbour,	Hollister,	Sprague,	
Blair,	Kennedy,	Sweeney,	
Cole,	Moran	Wakeman,	
Giddings,	Noble,	Speaker,	
Groves,	Palmer,		20

NAYS.

Mr. Ames,	Mr. Davis,	Mr. Ransom,	
Andrews,	T. Lewis,	Sanborn,	
Barrett,	W. Lewis,	Scott,	
Chubb,	Peck,	Toll,	
Cook,	Pierce,	Wing,	15

The Senate amendments to the 'bill to incorporate the Grand River Valley Railroad Company,' were concurred in, in gross, and the bill as amended was concurred in by a two thirds vote as follows;

YEAS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Ransom,	
Barbour,	Kennedy,	Rice,	
Barrett,	Moran,	Sprague,	
Blair,	Noble,	Sweeney,	
Chubb	Palmer,	Wakeman,	
Cole,	Patterson,	Wing,	
Giddings,	Pierce,	Speaker,	
Hand,			22

NAYS.

Mr. Ames	Mr. Davis,	Mr. Sanborn,	
Andrews,	W. Lewis,	Scott,	
A. C. Baldwin,			7

The bill was then ordered to be enrolled.

The following communication was announced:

SENATE CHAMBER,
Detroit, April 27, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return titles XXVI, XXVII XXVIII, XXX, XXXI and XXXII of the revision, which the Senate have passed to a third reading; and made sundry amendments thereto in which the concurrence of the House is respectfully asked.

JAMES E. PLATT,
Secretary of Senate.

On motion of Mr. Peck, titles XXVI, XXVII, XXVIII, XXXI and XXXII were laid on the table together with the Senate amendments thereto.

Title XXX was taken up and the question being on concurring in the Senate amendments thereto,

The second, third, fifth, sixth, eighth, eleventh, twelfth, fourteenth fifteenth, seventeenth, eighteenth, nineteenth and twentieth amendments were severally concurred in.]

The first, seventh, ninth and sixteenth amendments were severally non-concurred in.

The question being on concurring in the fourth amendment, which strikes out the word 'death,' at the end of the first section of chapter one hundred and fifty three, and inserts 'solitary confinement in the state prison for life,' it was non-concurred in by the following vote

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. Patterson,	
Andrews,	Groves,	Peck,	
Barbour,	Kennedy,	Rice,	
Barrett,	T. Lewis,	Wakeman,	
Blair,	Moran,	Wing,	
Chubb,			16

NAYS.

Mr. Cole,	Mr. Hollister,	Mr. Scott,	
Cook,	Noble,	Sprague,	
Davis,	Palmer,	Sweeney,	
Glen,	Pierce,	Toll,	
Hand,	Ransom,	Speaker,	
Hawley,	Sanborn,		17

The tenth amendment was amended on motion of Mr. Hand, by striking out the words 'for life,' and inserting 'not more than twenty years, or by fine not exceeding one thousand dollars, or both, at the discretion of the court,' and the amendment as amended was then concurred in.

The thirteenth amendment was amended, on motion of Mr. Hand, by striking out the words 'twenty-one' and inserting 'ten,' and the amendment as amended was then concurred in.

Mr. Hand from the select committee to whom was referred the 'bill to repeal an act to provide for the draining of swamps, marshes and other low lands, approved April 18, 1839,' reported the same back, with amendments, and

On motion of Mr. Peck, the bill and amendments were laid on the table.

On motion of Mr. Patterson, the 'bill to repeal an act entitled an act to incorporate the stockholders of the bank of St. Clair, approved March 28, 1836,' was taken from the table.

THIRD READING OF BILLS.

Title XXIII of the proposed revision was read the third time.

The 'joint resolution relative to the board of internal improvement' was read the third time and passed by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Groves,	Mr. Rice,	
C. Baldwin,	Hand,	Sanborn,	
Barbour,	Hollister,	Scott,	
Barrett,	W. Lewis,	Sprague,	
Chubb,	Moran,	Sweeney,	
Cole,	Noble,	Toll,	
Cook,	Palmer,	Wakeman	
Davis,	Patterson,	Wing,	
Giddings,	Peck,	Speaker,	
Glen,			28

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr. Pierce,	
Blair,	T. Lewis,	Ransom,	
Hawley,			7

The 'bill for the taxation of dogs, and for other purposes,' was read the third time and passed by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Pierce,	
Andrews,	Hand,	Ransom,	
A. C. Baldwin,	Hawley,	Sprague,	
Barbour,	Kennedy,	Sweeney,	
Blair,	T. Lewis,	Toll,	
Chubb,	W. Lewis,	Wing,	
Davis,	Patterson,	Speaker,	
Giddings,			22

NAYS.

Mr. C. Baldwin,	Mr. Hollister,	Mr. Rice,	
Barrett,	Moran,	Sanborn,	
Cole,	Noble,	Scott,	
Cook,	Palmer,	Wakeman,	
Groves,	Peck,		14

The 'bill to authorize the draining of Gross Point Marsh, in the township of Hamtramck, in Wayne county,' was read the third time, and the question being on its passage, it was not passed by the following vote:

YEAS.

Mr. Barbour,	Mr. Kennedy,	Mr. Palmer,	
Groves,	T. Lewis,	Pierce,	
Hand,	W. Lewis,	Rice,	
Hawley,	Moran,	Sprague	12

NAYS.

Mr. Ames,	Mr. Cook,	Mr. Ransom,	
Andrews,	Cole,	Sanborn,	

A. C. Baldwin,	Davis,	Scott,	
C. Baldwin,	Hollister,	Sweeney,	
Barrett,	Patterson,	Wakeman,	
Chubb	Peck,	Speaker,	18

Mr. Ames moved a reconsideration of the last vote, and on his motion the motion to reconsider was laid on the table.

The 'bill to repeal the charter of the village of Kalamazoo,' was read the third time, and

On motion of Mr. Ransom, laid on the table.

On motion of Mr. Peck,

The 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of St. Clair, approved March 28, 1836,' was referred to the committee on the judiciary, with general instructions.

Mr. W. Lewis, from the committee on roads and bridges, by unanimous consent, reported a 'bill to authorize the commissioners of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township,' which was read twice and referred to the committee of the whole.

On motion of Mr. Rice,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The special order of the day, which was the 'bill to regulate associations and partnerships for mining purposes,' came up, and the question being on its passage, it was lost by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Moran,	Mr. Sanborn,	
Barbour,	Ord,	Sprague,	
Barret,	Palmer,	Wakeman,	
Cole,	Peck,	Wing,	
Hand,	Rice,	Speaker,	
Hollister,			16

NAYS.

Mr. Andrews,	Mr. Glen,	Mr. Pierce,	
Blair,	Groves,	Ransom,	
Chubb,	Kennedy,	Scott,	
Cook,	T. Lewis,	Sweeney,	
Davis,	W. Lewis,	Toll,	
Giddings,			16

On motion of Mr. Groves, the House resolved itself into committee of the whole on the proposed revision, Mr. Hand in the chair.

After some time spent thereon, the committee rose, and by their chairman reported title XXV back with sundry amendments, in which the concurrence of the House was asked.

The amendments made in committee of the whole were concurred in.

On motion of Mr. Noble,

Section fourteen of chapter one hundred and thirty-eight was amended by inserting after the word 'court' the words 'except in cases otherwise provided by law;' and section seventeen was amended by inserting after the word 'cases' in the first line, the words 'issued from the supreme court.'

Title XXV was then ordered to be engrossed for a third reading.

Mr. Noble, from the committee on the judiciary, reported back to the House title XXIV of the proposed revision, and the title was referred to the committee of the whole.

Mr. Blair moved a reconsideration of the vote by which the House non-concurred in the 'bill to incorporate the Kalamazoo and Grand Rapids Railroad company,' as amended, which motion was

On motion of Mr. Noble, laid on the table.

Mr. Groves moved a suspension of the rule to enable a committee to report out of the regular order of business, which motion was lost by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Hand,	Mr. Sprague,	
Barbour,	Hollister,	Sweeney,	
Cook,	Noble,	Toll,	
Glen,	Patterson,	Speaker,	
Groves,			13

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr. Pierce,	
Blair,	T. Lewis,	Ransom,	
Chubb,	W. Lewis,	Rice,	
Davis,	Moran,	Sanborn,	
Giddings,	Palmer,	Scott,	
Hawley,	Peck,		17

On motion of Mr. Noble,

The House then resolved itself into committee of the whole on the proposed revision, Mr. Glen in the chair.

And after some time spent thereon, the committee rose and by their chairman reported that they had had under consideration title XXIV of the revision, on which they had made some progress, and asked and obtained leave to sit again.

Mr. Ord, from the committee on engrossment and enrollment, reported title XXV of the revision as correctly engrossed.

Also reported that the following bills and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'joint resolution relative to a certain state road in the county of Macomb,'

A 'bill amending an act relative to the registry of certain deeds, approved March 9th, 1844;'

A 'bill to provide for the sale of certain state property;'

A 'bill to confirm the partition of lands owned by Lewis Cass and others, in common with the state of Michigan;' and

A 'bill to amend an act entitled an act to incorporate the Detroit and Shelby Railroad Company.'

On motion of Mr. Rice,

The House adjourned.

Wednesday, April 29, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. A. C. Baldwin, Blair, Brotherson, Dunham, Graham, Hazleton, Jones, Leland, Leach, Parsons, Ten Eyck, Walker and Webster, were absent on leave, and Mr. Ames was absent without leave.

The journal of yesterday was read and approved.

Mr. Scott presented the petition of citizens of the townships of Dewitt and Olive, in Clinton county, for the passage of an act authorizing the inspectors of said towns to enlarge a certain school district, and to raise money for the purpose of building a school house; referred to the committee on education.

Mr. Noble, from the committee on the judiciary, reported back the

'bill to repeal an act entitled an act to incorporate the stockholders of of the bank of St. Clair, approved March 28, 1836,' with an amendment, which report was accepted.

Mr. Hand, from the committee of conference on title V of the proposed revision, made the following report:

The committee of conference upon the disagreement of the two houses touching the non-concurrence of the House in Senate amendments to title V of the proposed revision, have had the same under deliberate consideration, and respectfully recommend that the House recede from its non-concurrence in Senate amendments to said title, and that the House concur in said Senate amendments.

This is the unanimous recommendation of the committee. One of the members of the House committee being absent from the city, has not met with the committee of conference.

The question being on receding from their disagreement to the Senate amendment to said title, the House receded by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. O'Malley,	
C. Baldwin,	Hawley,	Ord,	
Barbour,	Hollister,	Patterson,	
Cole,	T. Lewis,	Peck,	
Cook,	W. Lewis,	Sweeney,	
Davis,	Moran,	Toll,	
Glen,	Noble,	Speaker,	
Groves,			22

NAYS.

Mr. Andrews,	Mr. Kennedy,	Mr. Sanborn,	
Barrett,	McDonald,	Scott,	
Blair,	Morse,	Sprague,	
Chubb,	Pierce,	Thomas,	
Edmunds,	Ransom,	Wing,	
Giddings,	Rice,		17

The question then recurring on concurring in the Senate amendment to title V of the proposed revision, when

Mr. Patterson moved the previous question, which motion was sustained by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. O'Malley,
A. C. Baldwin,	Hand,	Ord,
C. Baldwin,	Hollister,	Patterson,

70

Barbour,	T. Lewis,	Sweeney,	
Cole,	W. Lewis,	Toll,	
Cook,	Moran,	Wing,	
Glen,	Noble,	Speaker,	21

NAYS.

Mr. Andrews,	Mr. Hawley,	Mr. Pierce,	
Barrett,	Kennedy,	Ransom,	
Blair,	McDonald,	Rice,	
Chubb,	Morse,	Sanborn,	
Edmunds,	Palmer,	Scott,	
Giddings,	Peck,	Sprague,	18

The main question was ordered to be now put, which main uestion was on concurriug in the Senate amendment, it was concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Ord,	
A. C. Baldwin,	Hollister,	Patterson,	
C. Baldwin,	T. Lewis,	Peck,	
Barbour,	W. Lewis,	Sweeney,	
Cole,	Moran,	Toll,	
Cook,	Noble,	Wing,	
Glen,	O'Malley,	Speaker,	
Groves,			22

NAYS,

Mr. Andrews,	Mr. Hawley,	Mr. Ransom,	
Barrett,	Kennedy,	Rice,	
Blair,	McDonald	Sanborn,	
Chubb,	Morse,	Scott,	
Edmunds,	Palmer,	Sprague,	
Giddings,	Pierce,		17

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, April 28, 1846.

To the House of Repre sentatives:

I have this day approved, signed and deposited in the office of the Secretary of State 'an act to provide for the payment of balances of accouets due for construction and completion of the branch of the Southern Railroad, during the year eighteen hundred and forty-five.'

Also, 'an act to amend an act entitled an act to incorporate the village of Allegan,' approved March twenty, eighteen hundred and thirty-eight.

Also, 'an act to amend an act entitled an act to incorporate the village of Jackson, approved March seventh, eighteen hundred and for-

ty-three, and the act amendatory thereof, approved February twentieth, eighteen hundred and forty-four.'

Also 'an act to incorporate the Vermontville Academical Association.'

Also, 'an act to authorize the Governor to issue patents in certain cases.'

Also 'an act to change the time for the collection of taxes in the county of Chippewa, and for other purposes.'

Also 'an act to provide for improving the public highway from Bellevue to Charlotte in Eaton county.'

Also, 'an act to amend an act entitled an act to provide for establishing and improving the Pontiac and Grand River road, approved March ninth, eighteen hundred and forty-four.'

Also 'an act to legalize the collection and return of taxes made by deputy sheriffs in different counties of this state, and for other purposes.'

Also 'an act to amend an act entitled an act relative to free schools in the city of Detroit, approved February seventeenth, eighteen hundred and forty-two.'

Also 'an act for the relief of the purchasers of certain lands in the township of Lima.'

Also 'an act for the relief of William McDermott.'

Also 'an act to authorize William Laird and Sarah Bliss to execute a mortgage upon certain land in St. Joseph county.'

ALPHEUS FELCH.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Peck moved to suspend rule forty-three, and on his motion the motion to suspend was laid on the table.

On motion of Mr. Toll,

The clerk was directed to forthwith request the Senate to return to the House the 'bill to regulate associations and partnerships for mining purposes,' which was yesterday lost on the question of its passage.

Mr. Noble moved that hereafter this House shall commence its morning sessions at half past eight o'clock.

Mr. Barbour moved to amend the motion by striking out 'half past,' which motion was lost, and the original motion was then carried by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Patterson,	
C. Baldwin,	Hawley,	Peck,	
Barbour,	Hollister,	Pierce,	
Chubb,	Kennedy,	Ransom,	
Cole,	T. Lewis,	Sanborn,	
Cook,	W. Lewis,	Scott,	
Davis,	Moran,	Sprague,	
Edmunds,	Morse,	Wakeman,	
Giddings,	Noble,	Wing,	
Glen,	O'Malley,	Speaker,	30

NAYS.

Mr. Andrews,	Mr. Ord,	Mr. Thomas,	
A. C. Baldwin,	Palmer,	Toll,	
Hand,	Sweeney,		8

Mr. T. Lewis moved that hereafter this House will hold an evening session, to commence at seven o'clock, which motion was lost.

Mr. Kennedy offered the following resolution:

Resolved, That no member shall be allowed to speak more than fifteen minutes at any one time, nor more than once on any one question on the same day.

Mr. Barbour moved to amend the resolution by striking out 'fifteen' and inserting 'five,' which motion was lost, and the original resolution adopted.

Mr. Noble offered the following resolution:

Resolved, That any member of this House, who shall be absent from the House without leave, whenever the roll is called, shall not be paid his per diem allowance for every day or days when such member shall be absent whenever the roll is called.

Mr. Ames moved to amend the resolution by inserting after 'leave,' the words 'for more than half a day,' which motion was lost.

On motion of Mr. Hawley,

The resolution was amended by adding thereto the words 'unless a satisfactory excuse be rendered;' and the resolution as amended was rejected.

On motion of Mr. Barbour,

The 'bill for the relief of persons on school and university lands, whose property has been taken for the use of the state,' was taken from the table.

On motion of Mr. Noble,

The 'bill to lay out in part a state road from Saline, in the county of Washtenaw, to Monroe, in the county of Monroe,' was taken from the table.

Mr. Rice asked and obtained leave of absence for Mr. McDonald for an indefinite period on account of sickness.

UNFINISHED BUSINESS.

The amendment reported by the committee on the judiciary to the 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of St. Clair, approved March 28, 1836,' was concurred in, and the bill ordered to a third reading.

The 'bill to lay out in part a state road from Saline in the county of Washtenaw, to Monroe, in the county of Monroe,' was taken up, and the question being on its passage, it was passed.

The 'bill for the relief of persons on school and University lands, whose property has been taken for the use of the state,' was ordered to be engrossed, and read the third time.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Glen in the chair.

After some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration title XXIV, on which they had made some progress, and asked and obtained leave to sit again.

On motion of Mr. Hawley, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Groves,

The House then went into a committee of the whole upon title XXIV of the revision, Mr. Glen in the chair.

After some time spent thereon, the committee rose, and by their chairman reported the title back with sundry amendments in which the concurrence of the House was asked.

All the amendments to the title, from chapter 114 to chapter 124, inclusive, were concurred in in gross, except the amendment to sec. 8 of chapter 117, which amendment was non-concurred in.

The amendment striking out chapter 125 was non-concurred in.

The amendments to chapters 126 to 131 inclusive, were concurred in.

The amendments to chapter 132, were non-concurred in.

The amendment to chapter one hundred and thirty-three was concurred in.

On motion of Mr. Noble,

The fifth line of section sixteen, chapter one hundred and thirty-two was amended by striking out the words 'his own grain,' and inserting 'the grain which has been taken by him for tolls.'

On motion of Mr. Hand,

Section two of the same chapter was amended, by inserting after the word 'mill' in the fifth line, the words 'or at some place in the county where the mill is situated.'

On motion of Mr. Peck,

Section eight of chapter one hundred and seventeen was amended by inserting after the word 'company' the words 'not having banking powers.'

On motion of Mr. Chubb,

The section was further amended by inserting after the word 'insolvent,' the words 'or for thirty days shall refuse.'

On motion of Mr. Hand, the title was laid on the table.

Mr. Toll moved a reconsideration of the vote by which the 'bill to regulate associations and partnerships for mining purposes,' was lost, and

On motion of Mr. Peck, the motion to reconsider was laid on the table.

Mr. Ames, from the committee on engrossment and enrollment, reported as correctly engrossed, a 'bill for the relief of persons on school and university lands, whose property has been taken for the benefit of the state.'

Also, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'bill to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company;' and

A 'bill to organize the township of South Haven in the county of Van Buren, and for other purposes.'

On motion of Mr. T. Lewis, the House adjourned.

Thursday, April 30, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

The roll was called and Messrs. A. C. Baldwin, Brotherson, Dunham, Graham, Hand, Hazleton, Jones, Leland, Leach, McDonald, Parsons, Ten Eyck, Walker and Webster, were absent on leave, and Messrs. Ames, Andrews, Hollister, Moran, O'Malley, Sanborn, and Sprague, were absent without leave.

The journal of yesterday was read and approved.

Mr. Blair, from the committee on the judiciary, reported a 'bill to authorize the trustees of the first Presbyterian society of Grass Lake, in the county of Jackson, and state of Michigan, to convey certain real estate,' which was read twice and referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 29, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title XXX of the revision, and to respectfully inform you that the Senate have receded from their first amendment, that they insist upon their seventh, ninth and sixteenth amendment, that they have non-concurred in the House amendment to the tenth Senate amendment, and have concurred in the House amendments to the thirteenth Senate amendment to said title.

Also, to transmit a 'bill to amend an act entitled an act to provide for proceedings in chancery against corporations and for other purposes, approved June 21, 1837,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

In pursuance of the request of the House, and of the instructions of the Senate, I herewith return the 'bill to regulate associations and partnerships for mining purposes.'

Also, to respectfully inform you that the Senate have concurred in the report of the committee of conference upon title V of the revision, and have ordered the titled to be enrolled.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The 'bill to amend an act entitled an act to provide for proceedings

in chancery against corporations and for other purposes, approved June 21, 1843,' was read twice and referred to the committee on the judiciary.

Title XXX of the proposed revision was then taken up, and the question being on insisting on the disagreement to the seventh Senate amendment to said title, the House insisted by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Giddings,	Mr. Sprague,	
Barbour,	Glen,	Sweeney,	
Blair,	T. Lewis,	Thomas,	
Cole,	Noble,	Toll,	
Davis,	Ord,	Wing,	
Edmunds,	Patterson,	Speaker,	18

NAYS.

Mr. Andrews,	Mr. Hollister,	Mr. Palmer,	
Barrett,	Kennedy,	Peck,	
Chubb,	W. Lewis,	Pierce,	
Cook,	Moran,	Rice,	
Groves,	Morse,	Wakeman,	
Hawley,			16

The House then insisted on their disagreement to the ninth and sixteenth Senate amendments to said title, and receded from their amendment to the tenth Senate amendment, and concurred in said amendment.

On motion of Mr. Hand, title XXIV of the proposed revision was taken from the table.

The 'bill to repeal an act entitled an act to incorporate the stockholders of the bank of St. Clair, approved March 28, 1836;' and

The 'bill for the relief of persons on school and university lands, whose property has been taken for the use of the state,' coming up for a third reading, they were,

On motion of Mr. Noble,

Laid on the table.

Title XXIV of the proposed revision was taken up, and

On motion of Mr. Hand,

Section two of chapter one hundred and thirty-one was amended by striking out the word 'twelve' in the second line and inserting 'nine,' and section five was amended by striking out the word 'twelve' in the second line, and inserting 'six or more of the nine.'

Mr. Peck moved to strike out chapter one hundred and thirty-one, which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Sanborn,	
Barrett,	Hollister,	Sprague,	
Blair,	Morse,	Toll,	
Chubb,	Peck,		11

NAYS,

Mr. C. Baldwin,	Mr. Hawley,	Mr. Pierce,	
Barbour,	Kennedy,	Ransom,	
Cole,	T. Lewis,	Rice,	
Cook,	W. Lewis,	Scott,	
Davis,	Moran,	Sweeney,	
Edmunds,	Noble,	Thomas,	
Glen,	Ord,	Wakeman,	
Groves,	Palmer,	Speaker,	
Hand,	Patterson,		26

Title XXIV was then ordered to be engrossed for a third reading.

Mr. Andrews, from the committee on education, by common consent, reported back the petition of citizens of the townships of Dewitt and Olive, in Clinton county, for authority to enlarge a certain school district, and for other purposes, and reported adverse to the prayer of said petition.

The report was accepted, and the petition laid on the table.

On motion of Mr. Noble,

Senate title XXI of the proposed revision, together with the report of the select committee thereon, was taken from the table and referred to the committee of the whole.

The House then resolved itself into the committee of the whole on title XXI of the proposed revision, Mr. Cook in the chair.

After some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. Patterson,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Andrews asked for leave of absence for Mr. O'Malley for an indefinite time, which was refused.

On motion of Mr. Peck,

The House then resolved itself into committee of the whole,

on Senate title XXI of the proposed revision, Mr. Cook in the chair.

After some time spent thereon, the committee rose, and by their chairman reported the title back with sundry amendments, in which the concurrence of the House was asked.

The report of the committee of the whole, as an amendment to the Senate title was concurred in.

Mr. Noble, from the committee on the judiciary, reported back title XXII of the proposed revision, and the title was referred to the committee of the whole.

The House then resolved itself into committee of the whole on title XXII of the proposed revision. Mr. A. C. Baldwin in the chair.

After some time spent thereon, the committee rose, and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. C. Baldwin, the House adjourned.

Friday, May 1, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. Brotherson, Dunham, Hand, Hazleton, Jones, Leland, Leach, McDonald, Parsons, Ten Eyck, Walker and Webster, were absent on leave, and Messrs. Hollister, O'Malley, Rice and Sanborn, were absent without leave.

The journal of yesterday was read and approved.

Mr. C. Baldwin asked and obtained leave of absence for Mr. Sanborn till Monday next.

Mr. Groves for Mr. O'Malley for an indefinite time, and for Mr. Hollister till Tuesday next.

Mr. Ames presented the petition of Alvan Stewart of Utica, N. Y., for the payment of certain state warrants held by him; referred to the committee on ways and means.

Mr. Patterson, from the committee on ways and means, submitted the following report, which was accepted:

The committee of ways and means to whom was referred the Senate bill to amend an act entitled an act to liquidate the public debt and to provide for the payment of the interest thereon, approved

March 8, 1843," have had the same under consideration and respectfully report:

That the object of the bill is to suspend for two years the act of 1843, wherein provision is made for the payment of the interest on what are generally known as the Butler bonds, or the $1,387,000 bonds, acknowledged by the act aforesaid as paid in full.

It was thought, at the time this law was enacted, that the net proceeds of our railroads would probably be sufficient, without much additional taxation, to pay the interest as it would fall due after July 1, 1845. But, that these net proceeds were not relied upon exclusively is evident upon examination of the act, which provides that in case of deficiency in such proceeds at a certain period, to meet the accruing interest, the balance should be raised by direct tax.

It was this provision that rendered the circular of the late Auditor General necessary, and may require another call upon the counties during the present year to furnish their quotas of an additional half-yearly instalment of interest money.

By the bill before us, taxation for the payment of the interest would be delayed at least two years, and a plausible explanation of its propriety is found in the preamble, in the following words: 'Whereas, by the terms and conditions of the act entitled an act to authorize the sale of the Central Railroad, approved March 28th, 1843, ample provision has been made for the payment of all the interest that would accrue upon the bonds above specified for the next two years: Therefore' in the terms of the bill the aforementioned act for the payment of the interest 'be and the same is hereby suspended for two years and until further ordered by the legislature."

The bill is evidently predicated upon the certainty of a sale of the Central Railroad; as your committee are well assured that neither branch of the legislature would sanction a proposition to violate the public faith solemnly plighted by legislative enactment to the bondholders. But is a sale of the railroads on the terms of the acts recently passed a settled matter, not admitting of a doubt, or the possibility of failure? If so, the bill is right and proper, but if the least uncertainty hangs over the question, then there is an important defect in the bill.

In common with most of our citizens, your committee believe that

a sale is highly probable; but until probability becomes certainty, by an actual completion of the contract with the corporators and a deposite of funds on their part, sufficient to pay the interest on the bonds specified in the act proposed to be suspended; it would manifestly be injurious to the character of our state for the legislature, *even in appearance*, to cast a shadow of suspicion over the integrity of our citizens, and by unguarded legislation, render them amenable to the humiliating charge of refusing to make an effort, should it become necessary, to preserve the public faith inviolate.

A state, as well an individual, to be respected must not only deal justly, but must be above the suspicion of unjust action.

In times past, the ability of the state was not equal to the demands upon its treasury; as a consequence we were accused of repudiation. What followed? We successfully repelled the disgraceful charge and elevated our credit as a people at home and abroad, by promptly acknowledging every dollar received on our bonds, and providing by the aforesaid act of 1843, for settlement and payment of interest on the foreign debt. Should we now suspend this act unconditionally, it would be said of us that Michigan trades not only on borrowed capital, but on borrowed character.

As the period approached when it was evident that additional taxation would be necessary, our citizens demanded of the Legislature the passage of bills for the sale of the public works for the purpose of relieving them as soon, and as far as possible from increased taxation. This duty has been performed. The expressed will of the people has been complied with; and they in turn, having now the assurance that all has been done within the legitimate sphere of their representatives, consistent with the *honor of those they represent*, to relieve them from burdensome taxation, will not hesitate to suffer temporary inconvenience by paying some additional tax should it really be found necessary, rather than renew those suspicions which formerly cast a blighting influence over their credit, their character and their business.

The state is but the organ of the whole people, through which they make known to the world their combined feelings, thoughts and actions—its credit or its disgrace is inseparable from them. Just as we raise the standard of the former, will we ascend as a people in

the scale of moral elevation and command the confidence and respect of surrounding communities.

No mere expedient—no temporizing measures—nothing indeed that is not clearly right can accord with the feelings of a high-minded and spirited people, like ours of Michigan.

Our public acts must be above and beyond even the appearance of a violation of those sacred principles of common justice, upon the preservation or disregard of which, the honor of the State must stand or fall.

That we have been unable heretofore to pay the whole amount of interest on our public debt, was a misfortune, resulting from the general financial embarrassments that prevailed in other states, as well as in ours. But, to pass the bill under consideration without amendment, would be construed as something worse than a misfortune—it would be regarded as an expedient, adopted at all hazards to suspend the payment of the interest due; and would render us liable to the animadversions of those who, resting for three years on the faith of our renewed public pledge, have a right to expect better things at our hands.

Your committee are unwilling to believe that the bill was designed for any thing more than to suspend for a time the act of 1843, in view of a sale of the Central Railroad, and the impropriety, in that case, of raising by tax what has been provided for in the sale bill. But, until the question of sale is fully settled, and to avoid misconstruction or even the appearance of bad faith, the committee recommend the passage of the accompanying substitute bill.

The substitute for the bill was read, and together with the report referred to the committee of the whole.

Mr. Noble from the committee on the judiciary, reported back the Senate 'bill to amend an act entitled an act to provide for proceedings in chancery against corporations, and for other purposes, approved June 21, 1837,' and the bill was referred to the committee of the whole.

Mr. Ord, from the committee on engrossment and enrollment, reported title XXIV of the revision as correctly engrossed.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, April 29, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'joint resolution relative to the board of internal improvement,' and to respectfully inform you that the Senate have adopted the same.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of Senate.

The 'joint resolution relative to the board of internal improvement,' was ordered to be enrolled.

Title XXIV of the proposed revision was read the third time.

The House then resolved itself into committee of the whole on the proposed revision, Mr. A. C. Baldwin in the chair.

And after some time spent thereon, the committee rose and by their chairman reported progress, and asked and obtained leave to sit again.

On motion of Mr. C. Baldwin,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Cook,

The House then went into a committee of the whole upon title XXII of the proposed revision, Mr. A. C. Baldwin in the chair.

After some time spent thereon, the committee rose, and by their chairman reported the title back with sundry amendments in which the concurrence of the House was asked.

The amendments were concurred in, in gross, and

On motion of Mr. Hand,

The title was recommitted to the committee on the judiciary, with instructions to amend the same in accordance with the past action of the House, on other parts of the revision.

On motion of Mr. Hand,

The committee on the judiciary were dicharged from the further consideration of title XXIX of the proposed revision, and

The title was referred to the committee of the whole.

The House then resolved itself into committee of the whole on the proposed revision, Mr. Groves in the chair.

After some time spent thereon, the committee rose, and by their chairman reported that they had had under consideration title XXIX, to which they had made sundry amendments, in which the concurrence of the House was asked.

The amendments were concurred in, in gross.

On motion of Mr. Noble,

The title was referred to a select committee with instructions to incorporate the general principles of the fee bill of 1840, and also a fee bill for county courts, and for coroners jurors, and report with all convenient despatch.

The Speaker appointed as such committee Messrs. Peck, Noble, Groves, Ransom and Hazleton.

Mr. Palmer, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'joint resolution relative to the board of internal improvement.'

A 'bill to incorporate the Battle Creek and Grand Rapids railroad company,' and

A 'bill to incorporate the Grand River Valley railroad company.'

Also, reported that title XVIII of the proposed revision, was correctly enrolled, and was this day deposited with the Governor.

On motion of Mr. Noble,

The motion to reconsider the vote by which the 'bill to regulate associations and partnerships for mining purposes,' was lost, was taken from the table, and the question being on reconsidering the vote by which the bill was lost, it was reconsidered.

Mr. Noble then moved that the further consideration of the bill be indefinitely postponed, which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Noble,	
Barrett,	Glen,	Pierce,	
Blair,	Graham	Ransom,	
Chubb,	Groves,	Scott,	
Cook,	Kennedy,	Sweeney,	
Edmunds,	T. Lewis,		17

NAYS.

Mr. Ames,	Mr. W. Lewis,	Mr. Rice,	
C. Baldwin,	Moran,	Sprague,	

Barbour,	Morse,	Toll,	
Davis,	Ord,	Wakeman,	
Hand,	Palmer,	Wing,	
Hawley,	Peck,	Speaker,	18

Mr. Ames moved to lay the bill on the table, which motion was lost.

Mr. Noble moved to commit the bill to a special committee, with instructions to strike out all after the word 'liable' in the twentieth line of section nine, and insert 'as copartners for the whole amount of such debts,' pending which,

Mr. Peck moved the previous question, which was not ordered by the House.

And the question recurring on the motion to commit, it prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Ransom,	
Barrett,	Groves,	Scott,	
Chubb,	Hand,	Sprague,	
Cook,	Kennedy,	Sweeney,	
Edmunds,	T. Lewis,	Toll,	
Giddings,	Morse,	Wakeman,	
Glen,	Noble,		20

NAYS.

Mr. Ames,	Mr. W. Lewis,	Mr. Pierce,	
C. Baldwin,	Moran,	Rice,	
Barbour,	Ord,	Thomas,	
Blair,	Palmer,	Wing,	
Davis,	Peck,	Speaker,	
Hawley,			16

The Speaker appointed as such committee, Messrs. Noble, Hand, and Peck.

On motion of Mr. Palmer, the House adjourned.

Saturday, May 2, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called and Messrs. A. C. Baldwin, Brotherson, Dunham, Hazleton, Hollister, Leach, McDonald, O'Malley, Parsons,

Sanborn, Ten Eyck, Walker and Webster, were absent on leave, and Messrs. C. Baldwin, Morse, Moran, Ord, Rice and Wakeman were absent without leave.

Mr. Davis asked and obtained leave of absence for Messrs. C. Baldwin and Morse, till Tuesday next.

Mr. Groves for Mr. Rice till Wednesday next.

The journal of yesterday was read and approved.

Mr. Patterson from the committee on ways and means, submitted the following report, which was accepted:

The committee on ways and means ask leave to return the account of S. N. Gantt, which was referred to said committee at the instance of the chairman of the committee on claims:

The account amounts to $42 54, and, with a trifling exception, is made up of stationery, such as *extra pearl handle knives* and invisible items, furnished members named therein, on the last days of the session or between the 13th and 25th of March, 1845.

The account bears the certificate of but one member of the committee on supplies of last winter, and like the ghost of the old gentleman in Hamlet "appears in such a questionable shape" as to render its insertion in the general appropriation bill a matter of doubtful propriety.

The account in itself is a valuable document, and if "history is philosophy teaching by example" it should be carefully preserved as part of the unwritten history of the past, affording philosophic examples for the future. It is important in another point of view. The House may consider it proper to have it deposited among the archives of the state, or suspended in "*an extra pearl*" frame in front of the Speaker's chair in the capitol, as evidence of the attachment of certain representatives of the people to delicate specimens of the mechanic arts. It certainly shows a refined taste, and an exquisite perception of the beautiful to desire the possession of an "*extra pearl handle knife*" worth three or four dollars, and when obtained as a donation from the state, just at the close of an arduous session, its value is greatly increased as it evinces a lofty degree of patriotism, more satisfactory, however, we fear, to the possessor than to his—constituents.

Mr. Gantt should not lose the amount of this account, merely be-

cause it is not in regular form to insert in the general appropriation bill. The only question is, who should pay it? The gentlemen who received the articles, or the state.

Your committee therefore recommend that the bill be laid on the table.

The claim was laid on the table.

Mr. Noble, from the select committee to whom was referred the 'bill to regulate associations and partnerships for mining purposes,' with instructions, reported the same back amended in accordance with the instructions.

The report was accepted, the committee discharged, the amendments concurred in, and the question being on the passage of the bill, it was not passed by the following vote:

YEAS.

Mr. Ames,	Mr. Jones,	Mr. Thomas,	
Barbour,	W. Lewis,	Toll,	
Barrett,	Ord,	Wakeman,	
Davis,	Palmer,	Wing,	
Hand,	Patterson,	Speaker,	
Hawley,	Peck,		17

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. T. Lewis,	
Blair,	Glen,	Noble,	
Chubb,	Graham,	Pierce,	
Cole,	Groves,	Scott,	
Cook,	Kennedy,	Sprague,	
Edmunds,	Leland,	Sweeney,	18

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Hand,

Resolved, That the titles of the proposed revision which have been enrolled, be subject to the inspection of, and control of the select committee upon the revision.

On motion of Mr. Hand,

The motion to reconsider the vote by which the 'bill amendatory of the several acts touching licences,' was refused to be ordered engrossed for a third reading was taken from the table.

On motion of Mr. Hand,

The 'bill to provide for the payment of the claim of the Michigan Insurance company,' and the 'bill to provide for the payment of the claim of Orville B. Dibble,' were taken from the table.

On motion of Mr. Pierce,

The 'bill to authorize George W. Topping, and Samuel D. Topping, minors, to convey certain real estate,' was taken from the table.

On motion of Mr. Barbour,

The 'bill to authorize the Methodist Episcopal church, in Marshall, to convey certain real estate,' was taken from the table.

On motion of Mr. Noble,

The 'bill to repeal an act entitled an act to incorporate the stockholders of the bank of St. Clair, approved March 28, 1836,' was taken from the table, and the question being on the passage of the bill, it was passed by a unanimous vote, as follows:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,
Andrews,	Hand,	Peck,
Barbour,	Hawley,	Pierce,
Barrett,	Kennedy,	Scott,
Blair,	Leland,	Sprague,
Chubb,	T. Lewis,	Sweeney,
Cole,	W. Lewis,	Thomas,
Cook,	Moran,	Wakeman
Davis,	Noble,	Wing,
Edmunds,	Ord,	Speaker,
Giddings,	Palmer,	32

NAYS. 0

UNFINISHED BUSINESS.

The 'bill to provide for the payment of the claim of the Michigan Insurance company,' was ordered to be engrossed and read the third time.

The 'bill to provide for the payment of the claim of Orville B. Dibble,' was ordered to be engrossed for a third reading by the following vote:

YEAS.

Mr. Ames,	Mr. Jones,	Mr. Pierce,
Barbour,	T. Lewis,	Sprague,
Blair,	Noble,	Sweeney,
Chubb,	Ord,	Thomas,
Cook,	Palmer,	Wakeman,
Glen,	Patterson,	Speaker,
Hand,	Peck,	20

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. W. Lewis,
Barrett,	Graham,	Moran,

Cole,	Kennedy,	Scott,
Davis,	Leland,	Wing,
Edmunds,		12

The 'bill to authorize George W. Topping and Samuel D. Topping, minors, to convey certain real estate,' was ordered to be engrossed for a third reading.

The 'bill to authorize the Methodist Episcopal Church in Marshall to convey certain real estate,' was taken up, and the question being upon its passage, it was passed.

The vote was reconsidered by which the House refused to order to an engrossment and third reading the 'bill amendatory of the several acts touching licenses,' and the question recurring on ordering the bill to be engrossed, pending which,

On motion of Mr. Hand,

The first section of the bill was amended by striking out therefrom all after the word 'village,' in the ninth line, to the word 'any,' in the twelfth line.

On motion of Mr. Hand,

Section four of the bill was stricken out.

On motion of Mr. Ames,

Section three of the bill was stricken out.

The bill was then ordered to be engrossed for a third reading by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Peck,
Andrews,	Hand,	Pierce,
Barbour,	Hawley,	Ransom,
Barrett,	Kennedy,	Scott,
Blair,	Leland,	Sprague,
Chubb,	Noble,	Sweeney,
Cole,	Palmer,	Thomas,
Cook,	Patterson,	Wakeman,
Davis,		25

NAYS.

Mr. Giddings,	Mr. T. Lewis,	Mr. Toll,
Graham,	W. Lewis,	Wing,
Groves,	Ord,	Speaker, 9

The House then resolved itself into committee of the whole on the general order, Mr. Edmunds in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'bill to authorize the commissioners of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township;'

A 'bill to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers;'

A 'bill to authorize the Trustees of the First Presbyterian Society of Grass Lake, in the county of Jackson, to convey certain real estate;'

A 'bill to amend an act entitled an act to provide for proceedings in chancery against corporations and for other purposes, approved June 21, 1837;'

A 'bill to provide for the improvement of a certain state road in in Clinton county;' and

A 'bill to provide for the laying out and establishing a certain state road, and for other purposes.'

Also, reported back with amendment, in which the concurrence of the House was asked, a 'joint resolution for the relief of Wendell Buck;'

A 'bill to amend an act entitled an act to liquidate the public debt, and to provide for the payment of the interest thereon, and for other purposes, approved March 8, 1843;" and

A 'joint resolution proposing to amend the second article of the constitution relative to the elective franchise.'

The 'bill to amend an act entitled an act to provide for proceedings in chancery against corporations and for other purposes, approved June 21, 1837, was ordered to a third reading.

The 'bill to authorize the commissioners of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township,' and

The 'bill to authorize the trustees of the first Presbyterian society of Grass Lake, in the county of Jackson, to convey certain real estate,' were severally ordered to be engrossed and read the third time.

On motion of Mr. Hand,

The 'bill to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers,' was laid on the table.

Cole,	Kennedy,	Scott,
Davis,	Leland,	Wing,
Edmunds,		12

The 'bill to authorize George W. Topping and Samuel D. Topping, minors, to convey certain real estate,' was ordered to be engrossed for a third reading.

The 'bill to authorize the Methodist Episcopal Church in Marshall to convey certain real estate,' was taken up, and the question being upon its passage, it was passed.

The vote was reconsidered by which the House refused to order to an engrossment and third reading the 'bill amendatory of the several acts touching licenses,' and the question recurring on ordering the bill to be engrossed, pending which,

On motion of Mr. Hand,

The first section of the bill was amended by striking out therefrom all after the word 'village,' in the ninth line, to the word 'any,' in the twelfth line.

On motion of Mr. Hand,

Section four of the bill was stricken out.

On motion of Mr. Ames,

Section three of the bill was stricken out.

The bill was then ordered to be engrossed for a third reading by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Peck,
Andrews,	Hand,	Pierce,
Barbour,	Hawley,	Ransom,
Barrett,	Kennedy,	Scott,
Blair,	Leland,	Sprague,
Chubb,	Noble,	Sweeney,
Cole,	Palmer,	Thomas,
Cook,	Patterson,	Wakeman,
Davis,		25

NAYS.

Mr. Giddings,	Mr. T. Lewis,	Mr. Toll,
Graham,	W. Lewis,	Wing,
Groves,	Ord,	Speaker, 9

The House then resolved itself into committee of the whole on the general order, Mr. Edmunds in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'bill to authorize the commissioners of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township;'

A 'bill to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers;'

A 'bill to authorize the Trustees of the First Presbyterian Society of Grass Lake, in the county of Jackson, to convey certain real estate;'

A 'bill to amend an act entitled an act to provide for proceedings in chancery against corporations and for other purposes, approved June 21, 1837;'

A 'bill to provide for the improvement of a certain state road in in Clinton county;' and

A 'bill to provide for the laying out and establishing a certain state road, and for other purposes.'

Also, reported back with amendment, in which the concurrence of the House was asked, a 'joint resolution for the relief of Wendell Buck;'

A 'bill to amend an act entitled an act to liquidate the public debt, and to provide for the payment of the interest thereon, and for other purposes, approved March 8, 1843;" and

A 'joint resolution proposing to amend the second article of the constitution relative to the elective franchise.'

The 'bill to amend an act entitled an act to provide for proceedings in chancery against corporations and for other purposes, approved June 21, 1837, was ordered to a third reading.

The 'bill to authorize the commissioners of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township,' and

The 'bill to authorize the trustees of the first Presbyterian society of Grass Lake, in the county of Jackson, to convey certain real estate,' were severally ordered to be engrossed and read the third time.

On motion of Mr. Hand,

The 'bill to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers,' was laid on the table.

The 'bill to provide for the improvement of a certain state road in Clinton county,' and

The 'bill to provide for the laying out and establishing a certain state road and for other purposes,' were

On motion of Mr. Ames,

Recommitted to the committee on roads and bridges, with instructions to amend the same in accordance with the previous action of the Senate and the House.

The amendment to, being a substitute for the 'bill to amend an act entitled an act to liquidate the public debt, and to provide for the payment of the interest thereon and for other purposes, approved March 8, 1843,' was concurred in, and the bill ordered to a third reading.

The amendment to, being a substitute for, 'the joint resolution for the relief of Wendell Buck,' was concurred in, and the joint resolution ordered to be engrossed for a third reading.

The amendments to the 'joint resolution proposing to amend the second article of the constitution relative to the elective franchise,' striking out the words 'male citizens' in the eleventh line, and inserting 'inhabitants' and striking out the word 'male' in the sixteenth line, was concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Peck,	
Andrews,	Groves,	Sprague,	
Cole,	Kennedy,	Sweeney,	
Cook,	W. Lewis,	Thomas,	
Davis,	Moran,	Wing,	
Giddings,	Noble,	Speaker,	
Glen,	Patterson,		20

NAYS.

Mr. Barrett,	Mr. Hand,	Mr. Pierce,	
Blair,	Jones,	Scott,	
Chubb,	Leland,	Toll,	
Edmunds,	Palmer,	Wakeman,	12

The resolution was then ordered to be engrossed for a third reading.

On motion of Mr. Blair, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Barbour,

The House resolved itself into committee of the whole on the general order, Mr. Davis in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back a 'bill to erect a board of sale,' and the bill was ordered to be engrossed and read the third time.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 2, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title XXV of the revision, which the Senate have passed to a third reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Also to return title XXX of the revision, and to respectfully inform you that the Senate insist upon their fourth, seventh, ninth, and sixteenth amendments; that Senators Green, Littlejohn and Coe have been appointed a committee of conference on the part of the Senate, on the disagreement between the two Houses on said title, and to respectfully request the appointment of a like committee on the part of the House.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

On motion of Mr. Peck,

Title XXV of the proposed revision was laid on the table.

The question being upon receding from their disagreement to the fourth Senate amendment to title XXX, which amendment strikes out the word 'death,' at the end of section one, in chapter one hundred and fifty-three, and inserts 'solitary confinement in the state prison for life,' the House receded by the following vote:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. Patterson,	
Andrews,	Glen,	Peck,	
Barbour,	Graham,	Thomas,	
Barrett,	Groves,	Wakeman,	
Blair,	Jones,	Wing,	
Chubb,	Kennedy,	Speaker,	
Edmunds,	Ord,		20

NAYS.

Mr. Cole,	Mr. W. Lewis,	Mr. Scott,	
Cook,	Palmer,	Sprague,	
Davis,	Pierce,	Sweeney,	
Hand,	Ransom,	Toll,	
Leland,			13

The question then recurring on concurring in the fourth Senate amendment,

Mr. W. Lewis moved a call of the House, which was not ordered.

Mr. Blair moved to amend the Senate amendment by inserting after the word 'confinement,' the words 'at hard labor,' which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Peck,	
Andrews,	Graham,	Ransom,	
Barbour	Groves,	Scott,	
Barrett,	Jones,	Sprague,	
Blair,	Kennedy,	Thomas,	
Chubb,	Moran,	Wakeman,	
Cook,	Ord,	Wing,	
Edmunds,	Patterson,	Speaker,	
Giddings,			25

NAYS.

Mr. Cole,	Mr. Leland,	Mr. Pierce,	
Davis	W. Lewis,	Sweeney,	
Hand,	Palmer,	Toll,	9

Mr. Cook moved to amend the Senate amendment, by striking the same out, as amended, and inserting in lieu thereof 'solitary imprisonment for life at hard labor in the state prison or by death, as the jury in their virdict shall designate,' which motion was lost by the following vote:

YEAS.

Mr. Barbour,	Mr. Leland,	Mr. Scott,	
Cole,	W. Lewis,	Sprague,	
Cook,	Noble,	Sweeney,	
Davis,	Palmer,	Thomas,	
Hand,	Pierce,	Toll,	15

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Patterson,	
Andrews,	Graham,	Peck,	
Barret,	Groves,	Ransom,	
Blair,	Jones,	Wakeman,	
Chubb,	Kennedy,	Wing,	

Edmunds,	Moran,	Speaker,	
Giddings,	Ord,		20

The fourth Senate amendment, as amended, was then concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. Ord,	
Andrews,	Glen,	Patterson,	
Barbour,	Graham,	Peck,	
Barrett,	Groves,	Thomas,	
Blair,	Jones,	Wakeman,	
Chubb,	Kennedy,	Wing,	
Edmunds,	Moran,	Speaker,	21

NAYS.

Mr. Cole,	Mr. W. Lewis,	Mr. Scott,	
Cook,	Noble,	Sprague,	
Davis,	Palmer,	Sweeney,	
Hand,	Pierce,	Toll,	
Leland,	Ransom,		14

The House then insisted on their disagreement to the seventh and ninth Senate amendments, and receded from their disagreement to the sixteenth Senate amendment, and concurred in said amendment.

On motion of Mr. Peck,

A committee of conference on the part of the House on the disagreement between the two Houses on title XXX of the proposed revision, was ordered to be appointed, and the Speaker appointed as such committee, Messrs. Groves, Peck and Blair.

Mr. Ord, from the committee on engrossment and enrollment, reported the following bills and joint resolutions as correctly engrossed, viz:

A 'bill to create a board of sale;'

A 'bill to provide for the payment of the claim of the Michigan insurance company;'

A 'bill to provide for the payment of the claim of Orville B. Dibble;'

A 'bill to authorize George W. Topping and Samuel D. Topping, minors, to convey certain real estate;'

A 'bill to authorize the commissioner of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township;'

A 'bill to authorize the trustees of the first Presbyterian society of

Grass Lake, in the county of Jackson, to convey certain real estate;'

A 'bill amendatory of the several acts touching licenses;'

A 'joint resolution proposing to amend the second article of the constitution relative to the elective franchise;' and

A 'joint resolution relative to the claim of Wendell Buck.'

On motion of Mr. Davis,

The House adjourned.

Monday, May 4, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called and Messrs. A. C. Baldwin, C Baldwin, Dunham, Hazelton, Hollister, Leach, McDonald, Morse, Parsons, Rice, Sanborn, Ten Eyck and Webster were absent with leave, and Messrs. Andrews, Hawley and Thomas, were absent without leave.

Mr. Noble, from the committee on the judiciary, reported back the following petitions, and reported that no further legislative action was necessary, and the petitions were laid on the table, viz:

Of John Landar and others, of Lenawee county, for an alteration of the penal code;

Of Thomas M. Sweeney and others, of Wayne county, for authorizing some township officer to hold coroner's inquests;

Of P. Geddes, for the abolition of capital punishment; and

Of Rt. Rev. Bishop Lefevre, relative to certain real estate.

Mr. Noble, from the committee on the judiciary, reported back title XXII of the proposed revision, amended in accordance with the instructions of the House, and the title was placed among the unfinished business of the House.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Toll offered the following resolution:

Resolved, That the committee on militia be instructed to report a title consolidating the existing militia law of this state as far as may be necessary, and providing for a general enrollment of the militia; and out of such enrollment provide for the organization of volunteer

companies, not exceeding eight in any one military division; also providing for the imposition of a tax of fifty cents on each person liable to do military duty, and the appropriation of said tax for services rendered by such volunteer companies: Provided, That no person shall be required to pay said tax who shall perform military duty according to law.

The resolution was adopted by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Peck,	
Barbour,	Jones,	Sprague,	
Blair,	Kennedy,	Sweeney,	
Brotherson,	T. Lewis,	Toll,	
Cole,	W. Lewis,	Wakeman,	
Davis,	O'Malley,	Walker,	
Glen,	Ord,	Wing,	
Graham,	Palmer,	Speaker,	34

NAYS.

Mr. Barrett,	Mr. Giddings,	Mr. Noble,	
Chubb,	Groves,	Pierce,	
Cook,	Leland,	Ransom,	
Edmunds,	Moran,	Scott,	13

Mr. Glen gave notice that on some future day, he should ask leave to introduce a bill to amend an act entitled an act relative to common or primary schools.

Mr. Peck gave notice that he should on some future day ask leave to introduce a bill to legalize the proceedings of the last township meeting of the township of Hartland, Livingston county.

On motion of Mr. Ames,

The motion to reconsider the vote by which the 'bill to authorize the draining of Gross Point marsh, in the township of Hamtramck, in Wayne county,' was lost, on its passage, was taken from the table.

On motion of Mr. Patterson,

The 'bill to repeal an act to provide for the draining of swamps and marshes and other low lands, approved April 18, 1839,' was taken from the table.

Mr. Ames moved to suspend the twenty-seventh rule, which motion was lost by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Jones,	Mr. Peck,

Barbour	Leland,	Ransom,
Barrett,	W. Lewis,	Sprague,
Blair,	Moran,	Toll,
Brotherson,	O'Malley,	Walker,
Davis,	Ord,	Wing,
Edmunds.	Palmer,	Speaker,
Hand,	Patterson,	23

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Pierce,
Chubb,	Groves,	Scott,
Cole,	Kennedy,	Sweeney
Cook,	T. Lewis,	Wakeman,
Giddings,	Noble,	14

THIRD READING OF BILLS.

The 'joint resolution proposing to amend the second article of the constitution, relative to the elective franchise,' was read the third time. when

Mr. Cook moved the previous question, which was ordered by the House by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Patterson,
Andrews,	T. Lewis,	Peck,
Barbour,	W. Lewis,	Sprague,
Cole,	Moran	Sweeney,
Cook,	Noble,	Wakeman.
Davis,	O'Malley,	Walker,
Giddings,	Ord,	Speaker,
Graham,		22

NAYS.

Mr. Barrett,	Mr. Hand,	Mr. Pierce,
Blair,	Jones,	Ransom,
Brotherson,	Kennedy,	Scott,
Edmunds,	Leland.	11

The main question being on the passage of the joint resolution, it was ordered to be now put, and the resolution was not passed by the following vote, a majority of all the members elected not having voted in the affirmative:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Ord,
Barbour,	Groves,	Patterson,
Barrett,	Jones,	Peck,
Blair,	Kennedy,	Pierce,
Cole,	Leland,	Sprague,
Cook,	W. Lewis,	Toll,

Davis,	Moran,	Wakeman,	
Edmunds,	Noble,	Speaker,	
Giddings,	O'Malley,		26

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Scott,	
Brotherson,	T. Lewis,	Sweeney,	
Graham,	Ransom,	Walker,	9

The following bills and joint resolutions were severally read the third time and passed, viz:

A 'joint resolution relative to the claims of Wendell Buck and others;'

A 'bill to authorize the trustees of the first presbyterian society of Grass Lake, in the county of Jackson, to convey certain real estate;

A 'bill to authorize the commissioners of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township;'

A 'bill to authorize George W. Topping and Samuel D. Topping, minors, to convey certain real estate;'

A 'bill to create a board of sale;' and

A 'bill to provide for the payment of the Michigan Insurance Company.'

The 'bill to provide for the payment of the claim of Orville B. Dibble,' was read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Glen,	Mr. Ord,	
Barbour,	Graham,	Palmer,	
Blair,	Hand,	Patterson,	
Chubb,	Jones,	Peck,	
Cook,	Noble,	Sprague,	
Davis,	O'Malley,	Speaker,	18

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. Scott,	
Barrett,	Kennedy,	Sweeney,	
Brotherson,	Leland,	Wakeman,	
Cole,	W. Lewis,	Walker,	
Edmunds,	Pierce,	Wing,	
Giddings,			16

The 'bill to amend an act entitled an act to liquidate the public debt and to provide for the payment of the interest thereon, and for other purposes, approved March 8, 1843,' was read the third time, when

Mr. Davis moved a call of the House, which was had, and Messrs. Hawley, Ord, O'Malley and Thomas were absent without leave.

On motion of Mr. Toll, the sergeant-at-arms was despatched for the absentees.

Mr. Davis asked and obtained leave of absence for Mr. Thomas, for an indefinite time.

Mr. Sweeney for Mr. Hawley, for the day.

On motion of Mr. Peck, all further proceedings under the call were dispensed with.

Mr. Peck moved that the further consideration of the bill just read the third time, be indefinitely postponed, which motion prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Edmunds,	Mr. Patterson,	
Barbour,	Groves,	Peck,	
Blair,	Hand,	Sweeney,	
Chubb,	T. Lewis,	Toll,	
Cole,	W. Lewis,	Wakeman,	
Davis,	Noble,	Speaker,	18

NAYS,

Mr. Ames,	Mr. Jones,	Mr. Ransom,	
Barrett,	Kennedy,	Scott,	
Cook,	Leland,	Sprague,	
Giddings,	Moran,	Walker,	
Glen,	Palmer,	Wing,	
Graham,	Pierce,		17

Mr. Patterson moved a reconsideration of the last vote, which motion was,

On motion of Mr. Walker, laid on the table.

The 'bill to amend an act entitled an act to provide for proceedings in chancery against corporations and for other purposes, approved June 21, 1837,' and

The 'bill amendatory of the several acts touching licenses,' were severally read the third time and passed.

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, May 4, 1846.

To the House of Representatives:

I herewith respectfully return without my signature to the House of Representatives, in which the same originated, an "act to incor-

porate the Fort Huron and Lake Michigan Rail Road Company;" also "an act to amend an act entitled an act to incorporate the Troy and Rochester Rail Road Company, approved March 12, 1844;" and also an "act to incorporate the Flint River and Saginaw Navigation Company."

The bill, the title of which is first above recited, provides for incorporating a company with a capital of two millions of dollars, for the purpose of constructing a railroad across the peninsula of Michigan, from Port Huron to Lake Michigan. The line of the route passes through a country rich in all the essential resources for supporting a dense population, and, although now sparsely inhabited, yet inviting by promise of abundant returns, the labor and the capital of the immigrant. Before many years have elapsed, that whole region will teem with a busy population, and will require extensive facilities for travel and for the transportation of its surplus products and the introduction of foreign articles of consumption.

My objection to the bill is founded upon the perpetuity of the corporate powers granted by it, and the absence of all available provisions subjecting the charter or the company to future supervision by state authorities.

A grant of corporate powers implies the enjoyment of rights and privileges by the corporators which are not possessed by individual citizens, and a guaranty for their possession until they expire by limitation specified in the charter, or are terminated in a manner therein defined. It has been the policy of every republican government to avoid perpetual chartered privileges, and to define clearly the period when the powers thus given should cease. To do otherwise would seem to me to violate one of the plainest principles of that form of government which seeks the independence and the equality of all who are subject to its laws. It has become indeed a custom almost universal by the charter itself to limit the duration of the corporate powers, or to give to the legislative department of the government control over it by amendment or repeal.

In the charter here proposed to be given, no time for the termination of the corporation is specified. The only power over it by amendment or repeal reserved to the legislature, is that contained in the thirtieth section. This section provides that the legislature may,

after the expiration of thirty years, by a vote of two-thirds of each branch, alter, amend or repeal the charter, provided compensation for all damages sustained by reason of such alteration, amendment or repeal, be made to the company.

This limitation on the power of repeal is such as not only to secure the corporation from its exercise for thirty years, but to render the power ineffectual even after that period.

The amount of damages to be paid in the event of a repeal after that length of time, cannot be presumed to be less than the two millions of dollars which constitute the capital stock of the company. This sum, if paid, would be a total loss to the state. Nothing is to be paid into the treasury in consideration of the grant of corporate powers—and nothing would be received by the state on the repeal of the enactment, and the payment of the penalty thus gratuitously assumed. It is a principle of law well settled, that upon the repeal of the charter, the Railroad and its fixtures would become the property of the several owners of the land on the route, and the right to use it as a road would cease. It cannot be presumed in any state of the public treasury that can now be anticipated, and especially under the constitutional provision prohibiting the loaning of money without a vote of the people, that the penalty can ever be paid, however onerous the exercise of these corporate powers may become. If such repeal would give the property in the road to the state, the right might possibly at some future day be exercised; but I am satisfied that no such interests exist in this case, as would be available for this purpose.

The charter must, then, for all practical purposes, be regarded as one of perpetual powers and privileges.

If it were certain that the present state of things would always continue, there would be less objection to the perpetuity of the powers here given. But progress is written upon everything. The resources of the country, now comparatively new and uncultivated, are to be developed: human ingenuity has yet new subjects to which to apply its energies and new results to produce. In the arts, unexpected discoveries may change the subjects of commerce and of productive labor, and above all scientific investigations, with the practical application of the principles developed, may produce in the future, results as astonishing as those which characterize the last half century. Changes

may thus be effected in the condition and business of the country which shall render chartered privileges now unobjectionable, oppressive and unjust. For the present generation, we can see to some extent the effect of this legislation; but of the illimitable future, we can know so little that we should hesitate to burden generations that shall come after us, with irrepealable laws. In the present case, I can see no circumstances of necessity or propriety to justify this extraordinary legislation.

The provision here alluded to in the bill, it is true, is similar to that contained in an act passed at the present session of the legislature, entitled "an act authorizing the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company." There are differences, however, in the two cases which would prevent the application of the same principles to both.

The act to incorporate the Central Railroad company is not a mere grant of corporate powers, with the right to build a Railroad. It is a proposition for a contract by which the state is to sell to the corporation property to a large amount. By the bill before me, nothing is sold by the state; the naked right to become a corporation, and to build and manage a Railroad is bestowed, and that gratuitously. By the Central Railroad charter, two millions of money are to be received into the treasury; by this nothing. By the former, the necessity of payment by the state of that amount, and of immediate taxation for the interest of it, are relieved against; by the latter, no equivalent is secured. By the former, the state is divested of the inconvenience and hazard attending the management of the road, the transportation of freight and passengers, and the employment of numerous workmen and agents; by the latter, no such inconveniences are obviated. By the former, the damages required to be paid on the repeal of the charter would comprise the two millions of dollars, paid to and received by the state as the value of the road, which would be as to that amount a mere refunding of the money; by the latter, while not a dollar is to be received from the corporation, the whole amount of damages would have to be paid. By the former, the road sold and granted by the state to the company would, on a repeal of the charter, revert to the state; by the latter, no such advantage would accrue. By the former, the road would after the repeal, still be kept

up by the state or its assignees, and continue to afford its usual benefits and facilities to community; by the latter, as the right of way would cease, no such consequences would follow.

These broad differences between the two cases are sufficient to show that the former can neither afford a precedent for the latter, nor justify the grant of unusual privileges thereby.

These differences present also another important consideration, showing the impropriety of attaching to the repealing clause in the charter before me the condition of paying damages, however proper the same may be in the Central Railroad charter. In giving to the legislature the power of altering or repealing a charter, one of the first principles of justice would require that that tribunal should be free from all interest in the matter. Where a simple vote to repeal a charter would give to the people of whom the legislature are representatives, the property of the corporation worth millions of dollars, without compensation, the rights of the corporators might well be considered as committed to the hands of those who were interested against them. Such would be the case in the Central Railroad charter. But in the case of the company proposed by this bill to be chartered, as nothing would be gained by the state by such repeal, the tribunal must at least be deemed free from such interest against the company, and therefore ready to do justice to all.

Under the provisions of the bill the most trivial alteration cannot be made in the rights, nor the most necessary restriction imposed on the company hereafter, without making compensation from the public treasury. In transporting the United States mail, the company is left with power to fix their own terms, and if the legislature interfere even after thirty years, to prevent extortion on the part of the corporation, the treasury must be burdened with the payment of damages to the company.

A due regard to the future interest of the state seems to me to demand the imposition of restrictions and limitations not found in this bill.

My objections to the bill entitled an act to amend an act entitled an act to incorporate the Troy and Rochester Railroad Company, approved March 12, 1844, are as follows:

1. The act which this bill proposes to amend has become void.

The rail road therein described was required to be built in part at least within two years from the passage of the act, or otherwise the charter was to become void. This condition was not complied with, and therefore the act has become a dead letter.

2. The rail road which the corporation is authorized by this amendatory act to build, is a different road from that authorized by the original act. The two termini are different, and nothing herein contained requires the new road or any part of it to be laid on the route described in the original act or in the vicinity thereof.

3. If the company should locate their road on the most direct and eligible route between the termini mentioned in the amendatory act, to wit: Detroit and Romeo, it will pass over or along the direct route of the Shelby and Detroit Railroad Company. The last mentioned company have already constructed a road, with a wooden rail, for the entire distance between Detroit and Romeo excepting about twelve miles, and over that space the legislature has by an act of the present session, authorized them to extend their road. I can hardly suppose that it is the design of the legislature to grant to the Troy and Rochester company the privilege of a road along the same line with the Shelby and Detroit road, where much money has already been expended, and where exclusive privileges of a road are secured by charter for a space of three miles on each side of the last mentioned road.

4. Although this bill is an amendment to a charter which has expired by its own limitation, yet the bill does not in terms revive the original charter.

If the amendment does not have the legal effect of reviving the charter amended, then the bill is clearly defective as a law, and either gives no corporate powers, or gives them without the ordinary guards and restrictions. These are found only in the original act and not in the amendments.

If on the contrary the bill revives the original act, then it gives power to the company to construct and operate two roads, one from Rochester to the line of the Detroit and Pontiac rail road, described in the original charter, and the other from Detroit to Romeo, described in the amendment. It also repeals that portion of the charter which requires the first mentioned road to be commenced in two years

and to be completed in four years, leaving the company at their option as to time. It also repeals the clause in the original charter imposing individual liability on the stockholders for the debts of the corporation.

5. The route of the railroad which the amendment authorizes the company to construct is not sufficiently defined. By the first section Detroit and Romeo are specified as the terminating points, but by the fourth section the corporation is authorized "from time to time to change or alter the location of any part of said road," subject only to the proviso that the alteration, if made after the road is constructed, shall not alter materially the route. Before the road is constructed the power of location is unlimited. It is doubtful whether even the terminating points need be regarded, but if these are to be considered fixed, still the company may take any route they please between the two points, and have liberty to forfeit any portion of their line and retain the remainder. The bill is rather in the nature of a general license to build a road wherever the company may select a route than a charter for a particular road.

6. Under the provisions of this bill and the act to which it is amendatory it is evident that the corporation may so locate their road as to take the route of the railroad now leading from Detroit to Pontiac, and in that event, under the provisions of the fourth section of the original charter they would have a right to connect their road with it "with power to take, transport and carry, property and persons on said Detroit and Pontiac railroad, or any part thereof," agreeably to the terms contained in the charter of the company owning the last mentioned road.

The Detroit and Pontiac railroad is now under pledge to the state for the payment of certain bonds loaned to the company, and unless the amount is paid previous to the middle of August next, the state will proceed to enforce its lien. If by proceedings for this purpose the state should become the owner of the road, the rights given by this bill, by presenting numerous difficulties growing out of conflicting interests, would not only diminish the value of the road for the purposes of sale, but would greatly embarrass the board to whom would be committed the management and running of the road while it remained in the hands of the state.

Good policy seems to me to require that no additional embarrassments should be thrown in the way of securing the utmost benefit designed by the lien above mentioned.

The bill entitled "an act to incorporate the Flint River and Saginaw Navigation company" incorporates a company with fifty thousand dollars capital, with the right to enter upon the Flint River and the lands on either side and to erect all such dams, locks, and any other device whatever, which they shall think most fit and convenient to make a complete slack water navigation, between the village of Flint and the mouth of the Flint River.

The fifth section provides that "the corporation shall have the privilege, and be entitled to use the water power of said river to propel such machinery as they may think proper to erect on said land, which they may previously have purchased from the owner or owners," or they may sell or lease the same.

The corporation has also the power under the second section of purchasing, holding, selling, leasing and conveying estate, either real or personal, or mixed, so far as the same may be necessary for the purposes mentioned in the act; which of course, includes the object mentioned in the fifth section above quoted.

The fourth section gives the corporation power to agree for timber and other materials which may be found on land adjoining or near their works, for the same, and where an agreement therefor cannot be made, then the same may be taken, and lands may be set off by metes and bounds for their use and occupation, by their paying the appraised value thereof.

From the above recited provisions it is evident that the powers and exemptions defined in the charter are extended to enterprises of a nature and character very different from the mere construction of works necessary to make a slackwater navigation in the Flint River.

Under these provisions, and especially under the explicit language of the fifth section, the corporation is authorized to enter into and to prosecute every branch of business carried on by the aid of machinery to which water as a propelling power is applied. Thus, saw-mills, grist-mills and flouring-mills, woolen factories and cotton factories, establishments for the making of paper, and for the working of iron—indeed, the thousand purposes prosecuted by machinery to the pro-

pelling of which the power of the running stream has been made subservient—may all be carried on by the corporation created by this bill. For these purposes the corporators have power to erect their mills and factories along a river abounding in water power for a distance of some forty miles. They may purchase lands or materials for their purposes along this line, without limit as to amount or extent, and may sell or lease at pleasure. They may take them without consent, from the absent or unwilling owner, and appropriate them to their own use on paying the value as fixed by appraisers.

The constitution of this state authorizes private property to be taken for public use upon the payment of just compensation therefor; but I have never supposed that the right of eminent domain has ever been considered as extending so far as to authorize a legislature to take private property for the erection of machinery to be propelled by water, and the various manufacturing purposes to which it may be applied.

The business thus protected by these chartered privileges is such as in other portions of the country, is the subject of individual enterprise. Why should we now adopt a new principle and afford the advantages of corporate privileges to a company to compete with the less favored individual? Is it because individual wealth and energy are insufficient for the necessary mechanical establishments? Wherever a proper reward is offered individual means and enterprise are found ready to establish and prosecute such works with success. Is it to afford advantages to associated capitalists not enjoyed by individuals? The laws should rather guard, protect and foster the individual laborer, who applies himself industriously to his vocation. Is it because the business here protected is new and hazardous, and still requires, for the benefit of the public interest, to be fostered by special privileges? At almost every water-fall in the settled portion of our state, industry is busy with all those kinds of machinery that can find profitable employment, and the supply of manufactures keeps pace with the demand. We need have no fears to leave these matters, unaided by special legislation, to the individual interests and energies of the citizen and the immigrant.

While the business of the corporation under this bill is almost unlimited in kind, it is entirely so as to amount.

There is a section in the charter making the stockholders liable individually for the debts of the corporation after the corporate property is exhausted, but this liability is limited to the amount of the stock owned by each at the time the liability was contracted. The amount of business to be done or of indebtedness to be incurred by the company, is no-where limited by the charter. These are not required to bear any ratio to the amount of stock paid in. Suppose the corporation by an expenditure of the entire capital, fifty thousand dollars, should obtain a property worth a million of dollars, and by successful operations carried on in the various departments of business authorized by the charter, should divide among the stockholders net profits to the amount of a million more; and in the further course of the complicated and hazardous employments of the company misfortune should overtake them while they had debts outstanding to the amount of a million of dollars above their corporate property. In that case the aggregate individual liability of the stockholders would be only fifty thousand dollars, leaving nine hundred and fifty thousand dollars a total loss to the creditors; and this, notwithstanding the stockholders may have become individually enriched by the profits previously divided. The case here supposed is stated only to exhibit the principle and the effect of the provision in question. It shows that the individual liability given in the bill is of so restricted and limited a character as to afford little or no safeguard to the community in which the extensive business of the corporation may be conducted.

In prosecuting mechanical or manufacturing business of any kind, I can see no reason why the risk of the business should not rest upon him to whom the profits belong. If the individual citizen, unprotected by chartered exemptions, is unsuccessful in business, the accumulated property of his whole life is liable for his debts. This charter reverses the rule as to business done under it. While it allows the individual stockholder to put the profits of unsuccessful operations into his private coffers by way of dividend, it compels the creditor to bear, in part at least, the loss in case of adversity. Such an exemption gives inducement to recklessness in business. Wild speculation and hazardous competition may safely be entered into by him, who, if success attend the result, will become wealthy, but is protected from

personal liability if losses ensue. With corporators thus protected the individual citizen, with his limited means and consciousness of personal liability for all debts, cannot well compete.

Great indeed, it appears to me, would be the misfortune of any portion of our state where business of the kinds above indicated should fall into the hands of a corporation so fully armed for injury to others and so carefully protected from harm to itself. A wealthy and powerful company might grow up under this charter, but it would be at the expense of the honest industry and enterprise of individual citizens who must seek other avocations or become subservient to the power of the corporation.

The principle involved is totally at war with the best interests of the state, inviting as it does population from abroad and opening its rich and productive country as a theatre for enterprising industry. Exclusive privileges to one class of men must operate unjustly on others. The good citizen will be induced to make his residence only where he can compete on equal terms with his neighbors, where his capital and his labor shall have the same protection and encouragement as those of others; where his industry and economy and sagacity in business shall secure the merited reward, and where the benefits of equal laws shall protect the interests of all, but give exclusive privileges to none.

While I regret the necessity which at any time prevents my concurring with the legislature in their views or action, I cannot conscientiously and consistently with my views above most respectfully submitted, do otherwise than to withhold from the bills herewith returned the approval of the executive.

ALPHEUS FELCH.

On motion of Toll, five hundred extra copies of this day's journal were ordered to be printed.

On motion of Mr. Blair, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Walker, the three bills returned this morning by the executive, without his signature, viz:

The 'bill to incorporate the Port Huron and Lake Michigan Railroad company;'

The 'bill to amend an act entitled an act to incorporate the Troy and Rochester railroad company, approved March 12, 1844;' and

The 'bill to incorporate the Flint river and Saginaw navigation company,' were laid on the table.

UNFINISHED BUSINESS.

The amendments made by the select committee to the 'bill to repeal an act to provide for the draining of swamps, marshes and other low lands, approved April 18, 1839,' were concurred in, and the bill ordered to be engrossed and read the third time.

On motion of Mr. Hand, the 'bill to authorize the draining of Grass Point Marsh, in the township of Hamtramck, in Wayne county, was laid on the table.

Title XXII of the proposed revision was then taken up, and the amendment to section forty-five of chapter one hundred and six, reported by the committee of the judiciary, under instructions, was concurred in, and

On motion of Mr. Peck, the title was laid on the table,

Mr. Palmer, from the committee on engrossment and enrollment, reported that the 'bill to amend an act entitled an act to incorporate the village of Ann Arbor, approved April 23, 1833,' was correctly enrolled, and was this day presented to the Governor for approval.

The House then resolved itself into committee of the whole on the general order, Mr. Giddings in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back the 'bill supplementary to an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company, and of an act amendatory thereof,' with sundry amendments, in which the concurrence of the House was asked.

The amendments were severally concurred in and the bill ordered to be engrossed for a third reading.

On motion of Mr. Groves,

Title XXII was taken from the table and the remainder of the amendments reported by the committee on the judiciary were sever-

ally concurred in, and the title ordered to be engrossed for a third reading.

On motion of Mr. Hand,

Resolved, That the committee on the part of the House, heretofore appointed under a joint resolution of the two Houses for the purpose of harmonizing the several titles of the proposed revision of the laws be enlarged by adding thereto two members, and that the Senate be respectfully requested to enlarge the Senate committee appointed under said joint resolution.

The Speaker appointed as such additional members, Messrs. Noble and Walker.

On motion of Mr. Barbour,

The 'bill to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers in certain cases,' was taken from the table, and

On motion of Mr. Hand,

The bill was referred to the committee on the judiciary.

On motion of Mr. Ames,

The motion to reconsider the vote by which the 'bill amend an act entitled an act to liquidate the public debt, and to provide for the payment of the interest thereon, and for other purposes, approved March 8, 1843,' was indefinitely postponed, was taken from the table, and the question being on reconsidering the vote, it was decided in the negative.

On motion of Mr. Toll,

The 'bill to authorize Philip Dater, guardian of the infant children of Theron Skeel, to sell and convey lands in Michigan,' was taken from the table, and the question being on its passage, it was passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Peck,	
Barbour,	Kennedy,	Pierce,	
Barrett,	Leland,	Ransom,	
Blair,	T. Lewis,	Scott,	
Chubb	W. Lewis,	Sprague	
Cole,	Moran,	Toll,	
Davis,	O'Malley,	Wakeman,	
Edmunds,	Palmer,	Walker,	
Giddings,	Patterson,	Wing,	27

NAYS.

Mr. Ames,	Mr. Groves,	Mr. Sweeney,	
Cook,	Hand,	Thomas,	
Glen,	Noble,	Speaker,	9

On motion of Mr. Barbour,

The 'bill to authorize James Burroughs to erect a dam across Flat river, in the county of Kent,' was taken from the table, and the question being on concurring in the Senate amendment to said bill, the House concurred and ordered the bill as amended to be enrolled.

On motion of Mr. Ames,

The motion to reconsider the vote by which the 'bill to authorize the draining of Gross Point marsh, in the township of Hamtramck, in Wayne county,' was lost on its passage was taken from the table, and the vote reconsidered.

The question then recurring on the passage of the bill, it was not passed by the following vote:

YEAS.

Mr. Ames,	Mr. Leland,	Mr. Ransom,	
Barbour,	T. Lewis,	Sprague,	
Blair,	W. Lewis,	Toll,	
Groves,	Moran,	Walker,	
Hand,	O'Malley,	Wing,	
Kennedy,	Palmer,		17

NAYS.

Mr. Andrews,	Davis,	Scott,	
Barrett,	Glen,	Sweeney,	
Brotherson,	Grahams	Thomas,	
Chubb,	Patterson,	Wakeman,	
Cole,	Peck,	Speaker,	
Cook,	Pierce,		17

Mr. Hand, by common consent, presented sundry claims for printing and stationery for the adjutant general's office, which were referred to the committee on claims.

Mr. Glen, by unanimous consent, introduced a 'bill to amend an act entitled an act relative to common or primary schools,' which was read twice and referred to the committee on education.

Mr. Peck, by unanimous consent, introduced a 'bill to legalize the proceedings of the township meeting of the township of Hartland, in the county of Livingston, held April 6, 1846,' which was read twice and referred to the committee of the whole.

Mr. Brotherson, from the committee on engrossment and enrollment, reported the following bills as correctly engrossed, viz:

A 'bill supplementary to an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad company, and of an act amendatory thereof;' and

A 'bill to repeal an act to provide for the draining of swamps, marshes and other low lands, approved April 18, 1839.'

Mr. W. Lewis from the committee on roads and bridges, by common consent, reported back the petition of Elihu Ellwood and others, for an alteration in the Grand river road, and the preamble and resolutions of the board of supervisors of Eaton county, relative to highway laws, and reported adverse to any legislative action thereon.

The report was accepted, and the papers laid on the table.

The 'bill supplementary to an act to authorize the sale of the Central Railroad, and to incorporate the Michigan Central Railroad Company, and of an act amendatory thereof,' was read the third time and passed by a two thirds vote, as follows:

YEAS.

Mr. Barbour,	Mr. Hand,	Mr. Pierce,
Barrett,	Jones,	Ransom,
Brotherson,	Kennedy,	Sprague,
Chubb,	Leland,	Sweeney,
Cole,	W. Lewis,	Thomas,
Davis,	O'Malley,	Toll,
Edmunds,	Palmer,	Wakeman,
Giddings,	Patterson,	Walker,
Glen,	Peck,	Wing,
Groves,		28

NAYS.

Mr. Andrews,	Mr. T. Lewis,	Mr. Noble,
Cook,	Moran,	Speaker,
Graham,		7

The 'bill to repeal an act to provide for the draining of swamps, marshes and other low lands,' approved April 18, 1839,' was read the third time and passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Kennedy,	Mr. Ransom,
Barbour,	Leland,	Scott,
Barrett,	Leach,	Sprague,
Cole,	W. Lewis,	Sweeney,
Davis,	Moran,	Walker,

Edmunds,	Palmer,	Wing,	
Hand,	Patterson,	Speaker,	
Jones,			22

NAYS.

Mr. Ames,	Mr. Glen,	Mr. O'Malley,	
Brotherson,	Graham,	Peck,	
Chubb,	Groves,	Pierce,	
Cook,	T. Lewis,	Thomas,	
Giddings,	Noble,	Toll,	15

The question being on the title of the bill, the same was,

On motion of Mr. Patterson,

Amended so as to read 'a bill to provide for the draining of swamps, marshes and other low lands, and to repeal the act on the same subject, approved April 18, 1839.'

Mr. Noble from the committee on the judiciary, reported back without amendment, the bill to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers in certain cases.

And the bill was ordered to a third reading, read the third time and passed.

On motion of Mr. O'Malley, the House adjourned.

Tuesday, May 5, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called, and Messrs. A. C. Baldwin, C. Baldwin, Hand, McDonald, Noble, Parsons, Rice, Ten Eyck and Webster, were absent on leave, and Messrs. Brotherson, Hawley, W. Lewis, Moran, O'Malley and Ord were absent without leave.

The journal of yesterday was read and approved.

Mr. Ransom presented two several petitions of citizens of the village of Kalamazoo, for a repeal of their village charter; laid on the table.

Mr. Peck presented the petition of assessors of the township of Brighton, in Livingston county, for extension of time for making the assessment of the said township; referred to the committee on ways and means.

Mr. Andrews, from the committee on education, reported back without amendment, a 'bill to amend an act relative to common or primary schools,' and the bill was referred to the committee of the whole.

Mr. Dunham, from the committee on claims, reported back sundry claims for printing and stationery furnished the Adjutant General's office, and recommended that the claims be referred to the committee on ways and means, to be incorporated in the general appropriation bill.

The report was accepted, and the claims referred to the committee on ways and means.

Mr. Hand, from the committee on the judiciary, reported a 'bill to authorize polls to be opened at two places in the township of Hamtramck,' which was read twice and referred to the committee of the whole.

Mr. Peck, from the select committee to whom was referred title XXIX of the proposed revision, with instructions, reported the same back, amended in accordance with the instructions, and the title was placed among the unfinished business.

The following communication was announced :

EXECUTIVE OFFICE,
Detroit, May 4, 1846.

To the House of Representatives :

I have this day approved, signed and deposited in the office of the secretary of state, 'an act to organize the township of South Haven, in the county of Van Buren, and for other purposes;' also 'an act to provide for the sale of certain state property;' also 'an act to confirm the partition of lands owned by Lewis Cass and others in common with the State of Michigan;' also 'an act to incorporate the Marshall and Union city plank road company;' also an act to incorporate the Utica and Detroit city plank road company;' also 'an act to amend an act entitled an act to incorporate the Detroit and Grand river plank road company, approved March 12, 1844;' also an act to incorporate the Corunna and Northampton turnpike company;' also an act to amend an act entitled an act to incorporate the Shelby and Detroit railroad company;' also 'an act to incorporate the Grand river valley railroad company;' also an act to incorporate the Battle Creek and Grand

Rapids rail-road company;' also 'a joint resolution relative to the board of internal improvement.'

ALPHEUS FELCH.

The following communication was announced:

SENATE CHAMBER,
Detroit, May 4, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill to amend an act relative to the city of Detroit,' and to inform you that the Senate have passed the same with amendments in which the concurrence of the House is respectfully asked.

Also to inform you that the Senate have concurred in the House amendment to the fourth Senate amendment to title XXX of the revision.

Your ob't serv't,

JAMES E. PLATT,
Secretary of Senate.

The Senate amendments to the 'bill to amend an act entitled an act relative to the city of Detroit,' were non-concurred in by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Palmer,	
Barbour,	Glen,	Patterson,	
Barrett,	Graham,	Ransom,	
Blair,	Hand,	Sanborn,	
Chubb,	Jones,	Sprague,	
Cole,	Kennedy,	Sweeney,	
Cook,	Moran,	Toll,	
Davis,	O'Malley,	Walker,	
Dunham,			25

NAYS.

Mr. Brotherson,	Mr. T. Lewis,	Mr. Pierce,	
Edmunds,	W. Lewis,	Thomas,	
Groves,	Morse,	Wakeman,	
Leland,	Noble,	Wing,	
Leach,	Peck,	Speaker,	15

On motion of Mr. Blair,

The 'bill to provide for the public printing and for other purposes,' was taken from the table.

On motion of Mr. Hazelton,

The 'bill to incorporate the Flint river and Saginaw Navigation

company,' returned yesterday by the Executive without his signature, was taken from the table; and

The question being on its passage, it was not passed by the following vote:

YEAS.

Mr. Blair,	Mr. Jones,	Mr. Pierce,	
Brotherson,	Morse,	Sanborn,	
Hazelton,	Palmer,	Scott,	9

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Patterson,	
Barbour,	Groves,	Peck,	
Barrett,	Hand,	Ransom,	
Chubb,	Kennedy,	Sprague,	
Cole,	Leland,	Sweeney,	
Cook,	Leach,	Thomas,	
Davis,	T. Lewis,	Toll,	
Dunham,	W. Lewis,	Wakeman,	
Edmunds,	Noble,	Walker	
Giddings,	O'Malley,	Wing,	
Glen,	Ord,	Speaker,	33

Mr. Hazelton moved a suspension of the rule to enable him to reintroduce a 'bill to incorporate the Flint river and Saginaw navigation company; and the motion prevailed by a two-thirds vote, as follows:

YEAS.

Mr. Andrews,	Mr. Jones,	Mr. Pierce,	
Barrett,	Kennedy,	Ransom,	
Blair,	Leland,	Sanborn,	
Brotherson,	Leach,	Scott,	
Chubb,	Morse,	Thomas,	
Davis,	Noble,	Wakeman,	
Dunham,	Ord,	Walker,	
Edmunds,	Palmer,	Wing,	
Giddings,	Peck,	Speaker,	
Hazelton,			28

NAYS.

Mr. Cole,	Mr. Hand,	Mr. O'Malley,	
Cook,	T. Lewis,	Sprague,	
Glen,	W. Lewis,	Sweeney,	
Graham,	Moran,	Toll,	
Groves,			13

Mr. Hazelton asked and obtained leave to introduce a 'bill to incorporate the Flint river and Saginaw navigation company,' which was

read twice and referred to a select committee consisting of Messrs. Hazelton, Peck and Scott.

On motion of Mr. Scott,

The 'bill to incorporate the Owasso and Saginaw navigation company,' was taken from the table and referred to the same select committee.

On motion of Mr. Walker,

The 'bill to incorporate the Port Huron and Lake Michigan railroad company,' returned yesterday by the Executive without his signature, was taken from the table.

And the question being on the passage of the bill, it was not passed by the following vote:

YEAS.

Mr. Blair,	Mr. Leach,	Mr. Peck,	
Brotherson,	W. Lewis,	Pierce,	
Edmunds,	Moran,	Sanborn,	
Hazelton	Morse,	Scott,	
Jones,	Ord,	Walker,	
Leland,	Palmer,		17

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Ransom,	
Barbour,	Glen,	Sprague,	
Barrett,	Groves,	Sweeney,	
Chubb,	Hand,	Thomas,	
Cole,	Kennedy,	Toll,	
Cook,	T. Lewis,	Wakeman	
Davis,	Noble,	Wing,	
Dunham,	O'Malley,	Speaker,	
Giddings,	Patterson,		26

Mr. Brotherson, from the committee on engrossment and enrollment, reported title XXII of the proposed revision as correctly engrossed, and the title was read the third time.

On motion of Mr. Groves,

The 'bill to amend an act entitled an act to incorporate the Troy and Rochester Railroad Company, approved March 12, 1844, returned yesterday by the Executive without his signature, was taken from the table, and the question being on the passage of the bill, it was not passed by the following vote:

YEAS.

Mr. Barrett,	Mr. Moran,	2

NAYS.

Mr. Andrews,	Mr. Jones,	Mr. Peck,
Barbour,	Kennedy,	Pierce,
Blair,	Leland,	Ransom,
Brotherson,	Leach,	Sanborn,
Cole,	T. Lewis,	Sprague,
Cook,	W. Lewis,	Sweeney,
Davis,	Morse,	Thomas,
Edmunds,	Noble,	Toll,
Giddings,	O'Malley,	Wakeman,
Glen,	Ord,	Walker,
Graham,	Palmer,	Wing,
Groves,	Patterson,	Speaker,
Hand,		37

The House then took up the 'bill to provide for the public printing and for other purposes,' and

On motion of Mr. Blair,

The first line of section four was amended by inserting after the word 'notices,' the words 'and laws.'

The bill was then ordered to be engrossed for a third reading by the following vote:

YEAS.

Mr. Andrews,	Mr. Hazleton,	Mr. Pierce,
Barbour,	Jones,	Ransom,
Barrett,	Kennedy,	Sanborn,
Blair,	Leland,	Scott,
Brotherson,	Leach,	Sprague,
Cole,	W. Lewis,	Sweeney,
Cook,	Morse,	Thomas,
Davis	Noble,	Wakeman,
Dunham,	O'Malley,	Wing,
Edmunds,	Palmer,	Speaker,
Giddings,	Patterson,	32

NAYS.

Mr. Hand,	Moran,	Mr. Peck,
T. Lewis,	Ord,	Walker, 6

Title XXIX of the proposed revision was then taken up, and the amendments reported by the select committee were concurred in by the House.

Mr. Blair moved to amend section two of chapter one hundred and fifty, by adding the following proviso thereto, viz:

'Provided, That the gross amount of the fees taxed by any clerk of a circuit or county court, in his own favor upon judgments by cogno-

vit, or by confession under a warrant of attorney shall not exceed two dollars, and shall in no case exceed three dollars in any one case wherein there is no appearance by the defendant, nor shall it exceed eight dollars in any other case.'

Mr. Hand moved to strike out of the proviso the words 'nor shall it exceed eight dollars in any other case,' which motion was lost, and the original motion was then decided in the affirmative.

Mr. Blair moved to amend section eleven of the same chapter by adding the following proviso thereto, which motion prevailed:

Provided, That the whole amount of fees taxed by any judge of probate, in his own behalf, in any case not contested, shall in no case exceed fifteen dollars unless the same shall be audited and certified to be just by the board of supervisors of the county."

On motion of Mr. Edmunds,

The following proviso was added to section eight of the same chapter, viz:

"Provided, That in any suit not contested, the register's fees shall not exceed ten dollars."

Title XXIX was then ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the 'bill to provide for the public printing, and for other purposes,' as correctly engrossed, and also reported that the 'bill to authorize James Borroughs to erect a dam across Flat river, in the county of Kent,' was correctly enrolled, and was this day presented to the Governor for his approval.

On motion of Mr. Peck,

Titles XXV, XXVI, XXVII, XXVIII, XXXI and XXXII were taken from the table and referred to the committee on the judiciary, with instructions to amend the same in accordance with the action of the House and Senate on title XXI.

On motion of Mr. Ord,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Davis,

The House then resolved itself into committee of the whole on the general order, Mr. T. Lewis in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'bill to authorize polls to be opened at two places in the township of Hamtramck;'

A 'bill to amend an act entitled an act relative to common or primary schools;' and

A 'bill to incorporate the Grand Rapids canal and hydraulic company;'

Also reported back with an amendment in which the concurrence of the House was asked, a 'bill to legalize the proceedings of the township meeting of the township of Hartland, held April 6, 1846.'

The amendment to the last named bill was concurred in, and the bill ordered to be engrossed for a third reading.

The 'bill to authorize polls to be opened at two places in the township of Hamtramck,' and

The 'bill to amend an act entitled an act relative to common or primary schools,' were severally ordered to be engrossed for a third reading.

On motion of Mr. Morse, the 'bill to incorporate the Grand Rapids Canal and Hydraulic Company,' was referred to a select committee, consisting of Messrs. Morse, Jones and Hand.

Mr. Noble, from the committee on the judiciary reported back titles XXV, XXVI, XXVII, XXVIII, XXXI and XXXII of the proposed revision, and these titles were taken up in the House.

The question being on concurring in the Senate amendments to said titles, the amendments to titles XXVI, XXVII and XXVIII were severally non-concurred in.

Title XXV being under consideration, the first, third and fourth Senate amendments to said title were concurred in, and the remainder of the amendments were severally non-concurred in.

Titles XXXI and XXXII being under consideration, the eleventh, twelfth, nineteenth, twentieth, twenty-second and twenty-seventh Senate amendments thereto were severally concurred in, and the remainder of the Senate amendments were non-concurred in.

Mr. Ord, from the committee on engrossment and enrollment, reported as correctly engrossed,

A 'bill to authorize polls to be opened at two places in the township of Hamtramck;'

A 'bill to legalize the proceedings of the township meeting of the township of Hartland, held the sixth of April, 1846;'

A 'bill to amend an act entitled an act relative to common or primary schools;' and

Title XXIX of the proposed revision.

The 'bill to provide for the public printing and for other purposes,' was read the third time and passed.

Title XXIX of the proposed revision was read the third time.

The rule was then suspended, and the following bills were read the third time and passed, viz:

A 'bill' to amend an act entitled an act relative to common or primary schools;'

A 'bill to legalize the proceedings of the township meeting of the township of Hartland, held on the sixth of April, 1846, and for other purposes,' and

A 'bill to authorize polls to be opened at two places in the township of Hamtramck.'

On motion of Mr. Blair, the House adjourned.

Wednesday, May 6, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called, and Messrs. Ames, Hand, McDonald, Noble, Parsons, Rice and Den Eyck, were absent on leave, and Messrs. Davis, Leach, T. Lewis, Moran, Ord, Scott and Walker were absent without leave.

The journal of yesterday was read and approved.

Mr. Patterson, from the committee on ways and means, reported a 'bill to extend the time for the valuation of property for assessment purposes in the township of Brighton, for the year 1846,' which was read twice and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the bill as correctly engrossed, and the rule was suspended, and the bill read the third time and passed.

Mr. Hawley, from the committee on banks and incorporations, re-

ported back the 'bill to regulate private associations and partnerships,' with amendments, and the bill and amendments were referred to the committee of the whole.

Mr. Scott, from the committee on roads and bridges, reported back the 'bill to provide for establishing and improving a certain road leading from Essex to Dewitt, in Clinton county,' and the bill to provide for the improvement of a certain state road in Clinton county,' amended in accordance with the instructions, and the bills were placed among the unfinished business.

Mr. Hazleton, from the select committee, reported back the 'bill to incorporate the Flint River and Saginaw Navigation Company,' without amendment, and the bill was referred to the committee of the whole.

Mr. Hazleton from the same committee, reported back the 'bill to incorporate the Owasso and Saginaw navigation company,' with amendments, and the bill and amendments were placed among the unfinished business.

Mr. Barbour from the committee on internal improvement, reported back the petition of Daniel H. Blood and others, of Clinton county, for an appropriation on the Shiawassee river, and reported adverse to the prayer of the petition.

The report was accepted and the petition laid on the table.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 5, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a 'bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The 'bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad' was read twice and referred to the committee of the whole.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Barbour, the 'bill to repeal the charter of the village of Kalamazoo,' was taken from the table.

On motion of Mr. Webster, the 'joint resolution proposing certain amendments to the constitution of the state of Michigan,' was taken from the table.

On motion of Mr. Hand, the vote was reconsidered by which the House non-concurred in the Senate amendments to the 'bill to amend an act entitled an act relative to the city of Detroit,' and the question recurring on concurring in the Senate amendments to said bill, they were non-concurred in by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Andrews,	Mr. Hazleton,	Mr. Patterson,	
Barbour,	Jones,	Peck,	
Barrett,	Kennedy,	Pierce,	
Blair,	Leland,	Ransom,	
Cook,	T. Lewis,	Sprague,	
Dunham,	Moran,	Sweepey,	
Giddings,	O'Malley,	Toll,	
Hand,	Ord,	Webster,	
Hawley,	Palmer,	Wing,	27

NAYS.

Mr. A. C. Baldwin,	Mr. Graham,	Mr. Sanborn,	
C. Baldwin,	Hollister,	Scott,	
Brotherson,	Leach,	Wakeman,	
Chubb,	W. Lewis,	Speaker,	
Edmunds,	Morse,		14

Mr. C. Baldwin offered the following resolution, which was, on motion of Mr. Hazleton laid on the table:

Resolved, That Joseph Coates be employed to make a copy of the journals of this house during the present session of the legislature, to be deposited in the office of the secretary of state, at a compensation not exceeding six cents per folio.

On motion of Mr. Palmer, the 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river at Bridgeport' in said county, and making appropriation therefor,' was taken from the table.

On motion of Mr. Giddings,

The 'bill for the alteration of a state road in the counties of Kalamazoo and Barry,' was taken from the table.

UNFINISHED BUSINESS.

The House took up the 'bill to authorize the supervisors of Saginaw county to build a free bridge across Cass river, at Bridgeport in said county, and making appropriation therefor,' and the question being on receding from the House amendment thereto, which amendment strikes out the word 'three,' in the first line of section two, and inserts two, the House receded, and the bill was then concurred in by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hazelton,	Mr. Peck,
C. Baldwin	Leland,	Pierce,
Barbour	Leach,	Ransom,
Blair,	T. Lewis.	Sanborn,
Brotherson,	W. Lewis,	Sprague,
Chubb,	Moran,	Thomas,
Davis,	Ord,	Webster,
Dunham,	Palmer,	Wing,
Giddings,	Patterson,	Speaker, 27

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Sweeney,
Barrett	Groves,	Toll,
Cole,	Hawley	Wakeman,
Cook,	Kennedy,	11

The amendment, being a substitute for the 'bill to provide for the improvement of a certain state road in Clinton county,' reported by the committee on roads and bridges, was concurred in and the bill ordered to be engrossed for a third reading.

The amendment to, being a substitute for the 'bill to provide for the improvement of a certain road in Clinton county, leading from Essex to Dewitt,' was concurred in, and the bill ordered to be engrossed for a third reading.

The 'bill to repeal the charter of the village of Kalamazoo,' was passed by a two-thirds vote as follows:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Palmer
A. C. Baldwin,	Hawley,	Patterson,
C. Baldwin,	Hazelton,	Peck,
Barbour,	Hollister,	Ransom,
Barrett,	Kennedy,	Scott,
Chubb,	Leland.	Sprague,
Cole,	T. Lewis,	Sweeney,
Cook,	W. Lewis,	Thomas,

Davis,	Moran	Wakeman,	
Dunham,	O'Malley,	Webster,	
Giddings,	Ord,	Wing,	33

NAYS.

Mr. Edmunds,	Mr. Pierce,	Mr. Toll,	
Leach,	Sanborn	Speaker,	6

The amendments reported by the select committee to the 'bill to incorporate the Owasso and Saginaw navigation company' were concurred in, and the bill was passed by the following vote, two thirds voting in the affirmative:

YEAS.

Mr. A. C. Baldwin,	Mr. Leland,	Mr. Ransom,	
C. Baldwin,	Leach,	Scott,	
Barbour,	W. Lewis,	Sprague,	
Barrett,	Moran,	Sanborn,	
Edmunds,	Ord,	Thomas,	
Giddings,	Palmer,	Wakeman,	
Hawley,	Patterson,	Webster,	
Hazleton,	Peck,	Wing,	
Hollister,	Pierce,	Speaker,	27

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. T. Lewis,	
Cole,	Groves,	Sweeney,	
Cook,	Kennedy,	Toll,	9

On motion of Mr. W. Lewis,

All after the enacting clause was stricken out of the 'bill for the alteration of a state road in the counties of Kalamazoo and Barry,' by the following vote:

YEAS.

Mr. Andrews,	Mr. Hollister	Mr. Peck,	
A. C. Baldwin,	T. Lewis	Sweeney,	
Barbour,	W. Lewis,	Thomas,	
Barrett,	Moran,	Toll,	
Cole,	O'Malley,	Webster	
Davis,	Ord,	Wing,	
Groves,	Patterson,	Speaker,	
Hazleton,			22

NAYS.

Mr. C. Baldwin,	Mr. Hawley,	Mr. Pierce,	
Cook,	Kennedy,	Ransom,	
Edmunds,	Leland,	Sanborn,	
Giddings,	Leach,	Scott,	
Glen,	Palmer,	Wakeman,	
Graham,			16

77

On motion of Mr. Peck,

The enacting clause was laid on the table.

The House then took up the 'joint resolution proposing certain amendments to the constitution of Michigan,' when

Mr. Andrews moved that its further consideration be indefinitely postponed, which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Hazleton,	Mr. Moran,	
Cole,	Hollister,	O'Malley,	
Glen,	T. Lewis,	Speaker,	9

NAYS,

Mr. A. C. Baldwin,	Mr. Hawley,	Mr. Ransom,	
C. Baldwin,	Kennedy,	Sanborn,	
Blair,	Leland,	Scott,	
Brotherson,	Leach,	Sprague,	
Cook,	W. Lewis,	Sweeney,	
Davis,	Ord,	Thomas,	
Edmunds,	Palmer,	Wakeman,	
Giddings,	Patterson,	Webster,	
Graham,	Peck,	Wing,	
Groves,	Pierce,		29

Mr. Patterson moved to amend the thirteenth line of the resolution by striking out the words 'two dollars' and inserting 'one dollar and fifty cents.'

Mr. Sweeney moved to amend the amendment by striking out 'and fifty cents,' which motion was lost, and the original motion was then rejected.

The joint resolution was then ordered to be engrossed for a third reading by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Graham,	Mr. Ransom,	
C. Baldwin,	Groves,	Sanborn,	
Barrett,	Kennedy,	Sprague,	
Blair,	Leland,	Thomas,	
Brotherson,	Leach,	Toll,	
Cook,	Palmer,	Wakeman,	
Davis,	Patterson,	Webster,	
Edmunds,	Pierce,	Wing,	
Giddings,			25

NAYS.

Mr. Andrews,	Mr. Hollister,	Mr. Ord,	
Barbour,	T. Lewis,	Peck,	
Cole,	W. Lewis,	Scott,	

Glen,	Moran,	Sweeney,	
Hawley,	O'Malley,	Speaker	
Hazleton,			16

Mr. Groves, from the committee of conference on the part of the House on title XXX of the proposed revision, made a report, which was laid on the table.

The House then resolved itself into committee of the whole on the general order, Mr. Patterson in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment, a 'bill to incorporate the Flint river and Saginaw navigation company.'

Also reported back with sundry amendments, in which the concurrence of the House was asked, a 'bill to regulate private associations and partnerships.'

The 'bill to incorporate the Flint River and Saginaw Navigation Company,' was ordered to be engrossed for a third reading.

The 'bill to regulate private associations and partnerships,' being under consideration, and the question being on concurring in the amendments made in committee of the whole,

Mr. Cook moved to amend the amendments by striking out therefrom the words 'but the stockholders shall be individually liable for all the debts of said company, whenever such indebtedness exceeds in aggregate the amount or proportion to which the same is limited or authorized by this act,' and insert in lieu thereof 'the stockholders shall be jointly and individually liable the same as partners in trade, for all the debts of said company,' which motion was lost.

The amendments made in committee of the whole were concurred in, in gross.

Mr. Hand moved to lay the bill on the table, which motion was lost, and the bill was then ordered to be read the third time by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Giddings,	Mr. Ord,	
C. Baldwin,	Hawley,	Palmer,	
Barbour,	Hazelton,	Patterson,	
Barrett,	Jones,	Peck,	
Brotherson,	W. Lewis,	Sweeney,	
Davis,	Moran,	Wing,	
Edmunds,	Morse,	Speaker,	21

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Leach,	
Blair,	Groves,	Pierce,	
Chubb,	Hand,	Sanborn,	
Cole,	Hollister,	Scott,	
Cook,	Kennedy,	Sprague,	
Glen,	Leland,	Wakeman,	18

On motion of Mr. Patterson,

The House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

Mr. Ames, from the committee on engrossment and enrollment, reported the following bills and joint resolution as correctly engrossed, viz;

A 'bill to provide for the improvement of a certain road in Clinton county, leading from Essex to Dewitt;'

A 'bill to provide for the improvement of a certain road in Clinton county;' and

A 'joint resolution proposing certain amendments to the constitution of the state of Michigan.'

The following communication was announced:

SENATE CHAMBER,
Detroit, May 6, 1846.

To the Speaker of the House of Representatives;

SIR:—I am instructed by the Senate to return title XXI, and to inform you that the Senate have concurred in the House amendments to the senate amendments with sundry amendments in which the concurrence of the House is respectfully asked.

Also to return title XXX, and to respectfully inform you that the Senate have concurred in the report of the committee of conference upon said title.

Also to transmit a 'bill to attach certain townships in the county of Kent, to the townships of Courtland and Plainfield;'

A 'bill to extend the time for the assessment of taxes for the year 1846, in the township of St. Clair;' and

A 'bill to extend the time for making out the assessment rolls of the townships of Algansee, California, Pewonagowink, and Clayton,"

which the Senate have passed, and respectfully ask the concurrence of the House therein.

Also, to respectfully inform you that the Senate have concurred in the resolution adopted by the House for the appointment of two additional members upon the joint committee on the proposed revision, and that Senators Coe and Allen have been appointed upon said committee on the part of the Senate.

Your ob't serv't,

JAMES E. PLATT,
Secretary of Senate.

The 'bill to extend the time for making out the assessment rolls of the townships of Algansee, California, Penonagowink, and Clayton, for the year 1846;'

The 'bill to extend the time for the assessment of taxes for the year 1846, in the township of St. Clair,' and

The 'bill to attach certain townships in the county of Kent, to the townships of Courtland and Plainfield," were severally read twice and referred to the committee of the whole.

The House then took up title XXX of the proposed revision, and the following report of the committee of conference was concurred in:

That the House concur in the seventh Senate amendment with an amendment, adding at the end thereof the words 'or any number of years;' that the House concur in the ninth Senate amendment, and add to section fourteen, as printed, the words 'or any number of years.'

Title XXX as amended, was then concurred in and ordered to be enrolled.

The House then took up title XXI of the proposed revision and the question being on concurring in the Senate amendments to the House amendments to the Senate amendments to said title, they were all concurred in except the tenth, twenty-first and twenty-seventh amendments.

The tenth and twenty-seventh amendments were non-concurred in.

On motion of Mr. Peck, the twenty-first amendment was amended by striking out the words 'provision of said,' and inserting 'provisions regulating proceedings against debtors in attachment in the circuit court,' and the said amendment as amended was then concurred in.

On motion of Mr. Hand, the vote was reconsidered by which the

'bill to incorporate the Flint river and Saginaw navigation company' was ordered be engrossed, and the bill was referred to a select committee with general instructions.

The Speaker appointed as such committee Messrs. Hand, Hazleton and Palmer.

On motion of Mr. Barbour, the House adjourned.

Thursday, May 7, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called and Messrs. McDonald, Noble, Parsons, Rice and Ten Eyck were absent on leave, and Messrs. Brotherson, Leach, Ord, Ransom and Walker were absent without leave.

Mr. Davis asked and obtained leave of absence for Mr. Scott for the remainder of the session.

The journal of yesterday was read and approved.

Mr. Morse, from the select committee, reported back the 'bill to incorporate the Grand Rapids Canal and Hydraulic Company' with amendments, and the bill and amendments were referred to the committee of the whole.

Mr. Hand, from the select committee, reported back the 'bill to incorporate the Flint River and Saginaw Navigation Company' with amendments, and the bill and amendments were referred to the committee of the whole.

On motion of Mr. Scott,

The 'bill to incorporate the Owasso Literary Institute' was taken from the table.

THIRD READING OF BILLS.

The 'bill to provide for the improvement of a certain road in Clinton county, leading from Essex to Dewitt;' and

The 'bill to provide for the improvement of a certain road in Clinton county,' were severally read the third time and passed.

The bill to regulate private associations and partnerships was read the third time,

And the question being on the passage of the bill, it was not passed by the following vote:

YEAS.

Mr. Ames,	Mr. Hazleton,	Mr. Patterson,	
A. C. Baldwin,	Jones,	Peck,	
C. Baldwin,	W. Lewis,	Scott,	
Barbour,	Moran,	Sweeney,	
Barrett,	Morse,	Thomas,	
Dunham,	O'Malley,	Wing,	
Hawley,	Palmer,	Speaker,	21

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Leland,	
Blair,	Glen,	T. Lewis,	
Chubb	Graham,	Pierce,	
Cole,	Groves,	Sanborn,	
Cook,	Hand,	Sprague,	
Davis,	Hollister,	Wakeman,	
Edmunds,	Kennedy,	Webster,	21

The 'joint resolution proposing certain amendments to the constitution of Michigan,' was read the third time, and the question being on its passage, it was not passed by the following vote, a majority of all the members elected not voting in the affirmative:

YEAS.

Mr. C. Baldwin,	Mr. Edmunds,	Mr. Patterson,	
Barrett,	Giddings,	Peck,	
Blair,	Jones,	Pierce,	
Brotherson,	Kennedy,	Sanborn,	
Chubb,	Leland,	Sprague,	
Cook,	T. Lewis,	Thomas,	
Davis,	W. Lewis,	Webster,	
Dunham,	Palmer,	Wing,	24

NAYS.

Mr. Ames,	Mr. Hawley,	Mr. O'Malley,	
Andrews,	Hazelton,	Scott,	
A. C. Baldwin,	Hollister,	Sweeney,	
Barbour,	Moran,	Wakeman,	
Cole,	Morse,	Speaker,	
Hand,			16

On motion of Mr. T. Lewis,

The vote was reconsidered by which the 'bill to regulate private associations and partnerships,' was lost on its passage, and the question recurring on the passage of the bill,

Mr. Cook moved a call of the House, which was negatived; and the bill was passed by the following vote:

YEAS.

Mr. Ames	Mr. Hazelton,	Mr. Patterson,
A. C. Baldwin,	Jones,	Peck,
C. Baldwin,	W. Lewis,	Scott,
Barbour,	Moran,	Sweeney,
Barrett,	Morse,	Thomas,
Brotherson,	O'Malley,	Wing,
Dunham,	Palmer,	Speaker,
Hawley,		22

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Leland,
Blair,	Graham,	Pierce,
Chubb,	Groves,	Sanborn,
Cole,	Hand,	Sprague,
Cook,	Hollister,	Wakeman,
Davis,	Kennedy,	Webster,
Edmunds,		19

The House then took up the 'bill to incorporate the Owasso Literary Institute,' and the question being on concurring in the amendments made to the bill by the committee of the whole, they were severally concurred in, and the bill ordered to be read the third time.

On motion of Mr. Barbour,

The House then resolved itself into committee of the whole on the general order, Mr. Hawley in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back to the House without amendment,

A 'bill to attach certain townships in the county of Kent to the townships of Courtland and Plainfield;'

A 'bill to extend the time for making out assessment rolls of the townships of Algansee, California, Pewonagawink and Clayton for the year 1846;' and

A 'bill to extend the time for the assessment of taxes for the year 1846, in the township of St. Clair.'

Also reported back with sundry amendments in which the concurrence of the House was asked,

A 'bill to incorporate the Grand Rapids canal and hydraulic company;' and

A 'bill to incorporate the Flint river and Saginaw navigation company.'

The following bills were severally ordered to a third reading, viz:

A 'bill to attach certain townships in the county of Kent, to the townships of Courtland and Plainfield;'

A 'bill to extend the time for the assessment of taxes for the year 1846, in the township of St. Clair;' and,

The 'bill to extend the time for making out the assessment rolls of the townships of Algansee, California, Pewonagawink and Clayton, for the year 1846.'

The amendments to the 'bill to incorporate the Flint river and Saginaw navigation company,' were concurred in, in gross, and the bill ordered to be engrossed for a third reading.

The amendments to the 'bill to incorporate the Grand Rapids canal and hydraulic company;' were concurred in and the bill ordered to a third reading.

The following communication was announced:

SENATE CHAMBER,
Detroit, May 7, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the following bills, and to respectfully inform you that the Senate have passed the same:

'A bill to provide for the payment of the claim of Orville B. Dibble;'

'A bill to provide for the payment of the claim of the Michigan Insurance company;'

'A bill to authorize the Methodist Episcopal Church in Marshall to convey certain real estate;'

A 'bill to authorize the trustees of the first Presbyterian society of Grass Lake in the county of Jackson and state of Michigan, to convey certain real estate;'

'A bill to extend the time for the valuation of property for assessment purposes, in the township of Brighton for the year 1846;' and

'A bill to vacate a part of the village plat of Medina, in the county of Lenawee;'

Also to return the 'bill to incorporate the Kalamazoo river railroad company,' and to inform you that the Senate have passed the same with an amendment, in which they respectfully ask the concurrence of the House.

Also to return the 'bill to amend an act entitled an act relative to

the city of Detroit,' and to respectfully inform you that the Senate insist upon their amendments thereto.

Also to return the following bills and to respectfully inform you that the Senate have non-concurred therein:

'A bill to authorize Philip Dater, guardian of the infant children of Theron Skeel deceased, (or whatever guardian may succeed him) to sell and convey lands in Michigan;'

'A bill to authorize George W. Topping and Samuel D. Topping minors, to convey certain real estate;'

'Joint resolution relative to the claim of Wendell Buck and others;' and

'A bill to repeal the charter of the village of Kalamazoo.'

Also to transmit the following bills which the Senate have passed, and in which the concurrence of the House is respectfully asked:

'A bill to authorize the sale of a certain lot held in trust for the benefit of the Roman Catholic church in the city of Monroe;'

'A bill to repeal the charter of the village of Dearbornville,' and

'A bill to authorize Henry Shaw Noble, a minor, to convey certain real estate.'

Also to return title XXI of the proposed revision, and to respectfully inform you that the Senate insist upon their tenth amendment, have receded from their twenty-seventh amendment, and have concurred in the House amendment to the twenty-first amendment to said title.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The following bills were ordered to be enrolled:

A 'bill to provide for the payment of the claim of Orville B. Dibble;'

A 'bill to provide for the payment of the claim of the Michigan Insurance company;'

A 'bill to authorize the Methodist Episcopal church in Marshall to convey certain real estate;'

A 'bill to authorize the trustees of the first Presbyterian society of Grass Lake in the county of Jackson, and state of Michigan, to convey certain real estate;'

A 'bill to extend the time for the valuation of property for assessment purposes in the township of Brighton, for the year 1846;' and,

A 'bill to vacate part of the village plat of Medina, in the county of Lenawee.'

Title XXI of the proposed revision being under consideration, and the question being on the House receding from their disagreement to the tenth Senate amendment, the House receded, and concurred in said amendment; and the title was ordered to be enrolled.

The 'bill to authorize Henry Shaw Noble, a minor, to convey certain real estate;' and

The 'bill to authorize the sale of a certain lot held in trust for the benefit of the Roman Catholic Church in the city of Monroe,' were severally read twice and referred to the committee on the judiciary.

The 'bill to repeal the charter of the village of Dearbornville,' was read twice and ordered to a third reading.

The 'bill to amend an act entitled an act relative to the city of Detroit,' being under consideration, and the question being on the House receding from their disagreement to the Senate amendments to said bill, the House refused to recede by the following vote—two-thirds not voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Dunham,	Mr. W. Lewis,	
Andrews,	Glen,	Moran,	
Barbour,	Graham,	Ord,	
Barrett,	Groves,	Patterson,	
Cole,	Hand,	Sanborn,	
Cook,	Hawley,	Sprague,	
Davis,	Kennedy,	Sweeney,	21

NAYS.

Mr. A. C. Baldwin,	Mr. Giddings,	Mr. Pierce,	
C. Baldwin,	Hazelton,	Scott,	
Blair,	Jones,	Thomas,	
Brotherson,	Leland,	Wakeman,	
Chubb,	Palmer,	Webster,	
Edmunds,	Peck,	Speaker,	18

On motion of Mr. Hand, it was ordered that a committee of conference be appointed on the part of the House, on the disagreement between the two houses on the above bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee on the part of the House Messrs, Hand, Ames and Peck.

On motion of Mr. Hazelton,

The 'bill to incorporate the Kalamazoo River Railroad Company' was laid on the table, together with the Senate amendments thereto.

Mr. Ord, from the committee on engrossment and enrollment, reported that the 'bill to extend the time for the valuation of property for assessment purposes in the township of Brighton for the year 1846,' was correctly enrolled, and was this day presented to the Governor for his approval.

Also reported as correctly engrossed, the 'bill to incorporate the Flint River and Saginaw Navigation Company.'

On motion of Mr. Hazelton,

The rule was suspended to enable the following bills to be read a third time to-day:

The 'bill to incorporate the Grand Rapids Canal and Hydraulic Company,' was then read the third time and passed by a two-thirds vote as follows:

YEAS.

Mr. Ames	Mr. Edmunds,	Mr. Ord,
Andrews,	Giddings,	Palmer,
A. C. Baldwin,	Hand,	Patterson,
C. Baldwin,	Hawley,	Peck,
Barbour,	Hazleton,	Pierce,
Barrett,	Hollister,	Sanborn,
Blair,	Jones,	Scott,
Brotherson,	Kennedy,	Sprague,
Chubb,	Leland,	Thomas,
Cole,	T. Lewis,	Wakeman,
Davis,	W. Lewis,	Speaker,
Dunham,	Morse,	

NAYS.

Mr. Cook,	Mr. Graham,	Mr. Sweeney,	
Glen,	Moran,		5

The 'bill to incorporate the Flint River and Saginaw Navigation Company,' was read the third time and passed by the following vote, two-thirds voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. Palmer,
Andrews,	Hand,	Patterson,
A. C. Baldwin,	Hawley,	Peck,
C. Baldwin,	Hazleton,	Pierce,

Barrett,	Hollister,	Sanborn,	
Blair,	Jones,	Scott,	
Brotherson,	Kennedy,	Sprague,	
Chubb,	Leland,	Sweeney,	
Cole,	W. Lewis,	Thomas,	
Davis,	Moran,	Wakeman,	
Dunham,	Morse,	Speaker,	
Edmunds.	Ord,		35

NAYS.

Mr. Cook,	Mr. Graham	Mr. Groves,	
Glen,			4

The bill to incorporate the Owasso Literary Institute,' was read the third time, and the question being on its passage, it was not passed by the following vote, two-thirds not voting in its favor.

YEAS.

Mr. A. C. Baldwin,	Mr. Hand,	Mr. Peck,	
C. Baldwin,	Hazleton,	Sanborn,	
Barrett,	Jones,	Scott,	
Blair,	Leland,	Sprague,	
Brotherson,	Moran,	Sweeney,	
Chubb,	Morse,	Thomas,	
Cole,	Ord,	Speaker,	
Giddings,	Palmer,		23

NAYS.

Mr. Cook,	Mr. Groves,	Mr. T. Lewis,	
Davis	Graham,	Patterson,	
Dunham,	Hollister,	Pierce,	
Edmunds,	Kennedy,	Wakeman,	
Glen,			13

On motion of Mr. Jones,

The last vote was reconsidered, and

On motion of Mr. Scott,

The bill was laid on the table.

The 'bill to repeal the charter of the village of Dearbornville,' was read the third time and passed by a two-thirds vote, as follows:

YEAS.

Mr. Ames,	Mr. Dunham,	Mr. Moran,	
Andrews,	Glen,	Morse,	
A. C. Baldwin,	Groves,	Ord,	
C. Baldwin,	Hawley,	Palmer,	
Barrett,	Hazleton,	Patterson,	
Blair,	Hollister,	Peck,	
Brotherson,	Jones,	Scott,	
Chubb,	Kennedy,	Sprague,	

Cole,	Leland,	Sweeney,	
Cook,	T. Lewis,	Thomas,	
Davis,	W. Lewis,	Speaker,	33

NAYS.

Mr. Edmunds,	Mr. Pierce,	Mr. Wakeman,	
Graham,	Sanborn,		5

The following bills were severally read the third time and passed, to wit:

A 'bill to extend the time for the assessment of taxes for the year 1846 in the township of St Clair;'

A 'bill to attach certain townships in the county of Kent to the townships of Courtland and Plainfield;' and

A 'bill to extend the time for making out the assessment roll of the townships of Algansee, California, Pewonagawink and Clayton for the year 1846.'

On motion of Mr. Sweeney, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker, and

On motion of Mr. Hazleton, the House adjourned.

Friday, May 8, 1846.

The House met pursuant to adjournment, and was called to order by the Speaker.

Prayer by Rev. Mr. Harrison.

The roll was called, and Messrs. Hand, McDonald, Scott and Ten Eyck were absent on leave, and Messrs. Thomas, Walker, Webster and Wing were absent without leave.

The journal of yesterday was read and approved.

Mr. Dunham asked and obtained leave of absence for Mr. Barbour for an indefinite period, on account of sickness.

Mr. Peck for Mr. Wing, till Monday next.

Mr. Toll, from the committee on the militia, submitted a report, which was read, accepted, and

On motion of Mr. Hazleton,

Five hundred extra copies were ordered to be printed.

Mr. Hawley, from the committee on banks and incorporations, reported back the 'bill to provide for the construction of a ship canal around the Sault Ste. Marie, and to incorporate the Lake Superior Canal Company' without amendment, and recommended that it do not pass.

The report was accepted and the bill referred to the committee of the whole.

Mr. Barbour, from the committee on internal improvement, reported back the petition of the supervisors of the county of Kalamazoo, and of sundry inhabitants of the county of Allegan, for an appropriation of land for the improvement of the Kalamazoo river, and reported adverse to the prayer of said petitions.

The report was accepted, and the petitions were laid on the table.

Mr. Hand, from the committee on the judiciary, reported back without amendment, the 'bill to authorize the sale of a certain lot held in trust for the benefit of the Roman Catholic Church in the city of Monroe,' and a 'bill to authorize Henry Shaw Noble, a minor, to convey certain real estate,' and the bills were referred to the committee of the whole.

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, May 7, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, 'an act to extend the time for the valuation of property for assessment purposes, in the township of Brighton, for the year 1846.'

Also an 'act amending an act relative to the registry of certain deeds, approved March 9, 1844.'

Also 'an act to authorize James Borroughs to erect a dam across Flat River, in the county of Kent.'

Also an 'act to amend an act entitled an act to incorporate the village of Ann Arbor, approved April 23, 1833.'

Also a 'joint resolution relative to a certain state road in the county of Macomb.'

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 8, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'joint resolution relative to the state arms,' and

The 'bill ceding to the United States jurisdiction over the military reserve at Fort Gratiot, in the county of St. Clair,' and to respectfully inform you that the Senate have passed the same.

Also to return the 'joint resolution relative to the claims of James Sanders, S. P. Hodges and M. Y. Tirrel,' and to respectfully inform you that the Senate have non-concurred therein.

Also to transmit a 'bill to amend an act approved March 9, 1843, entitled an act to amend an act entitled an act to provide for the voluntary dissolution of corporations and to prescribe the duties of receivers in chancery in certain cases, and for other purposes, approved April 15, 1839,' and

A 'bill relative to the Department of Natural History in the University of Michigan,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

Also to respectfully inform you that the Senate have concurred in the House amendments to the 'bill to incorporate the Owasso and Saginaw Navigation Company,' and

The 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of St. Clair, approved March 28, 1836,' and that said bills as amended have been ordered to be enrolled.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

The 'joint resolution relative to the state arms,' and

The 'bill ceding to the United States jurisdiction over the military reserve at Fort Gratiot, in the county of St. Clair,' was ordered to be enrolled.

The 'bill relative to the Department of Natural History in the University of Michigan,' was read twice and referred to the committee of the whole.

The 'bill to amend an act, approved March 9, 1843, entitled an act to amend an act entitled an act to provide for the voluntary disso-

lution of corporations, and to prescribe the duties of receivers in chancery in certain cases, and for other purposes, approved April 15, 1839,' was read twice and referred to the committee on judiciary.

Mr. Cole, by unanimous consent, introduced a 'bill to legalize the returns of delinquent taxes for the year 1845, from the township of Florance in the county of St. Joseph,' which was read twice and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the bill as correctly engrossed, and the rule being suspended, the bill was read the third time and passed.

On motion of Mr. Ames,

The following resolution was taken from the table;

Resolved, That Joseph Coates be employed to make a copy of the journal of the House during the present session of the legislature, to be deposited in the office of the Secretary of state, at a compensation not exceeding six cents per folio.

Mr. Ames offered the following substitute for the resolution:

Resolved, That the committee on ways and means be instructed to provide in the general appropriation bill for the payment of M. E. Van Buren, engrossing, enrolling and recording clerk, for making a fair copy of the journal of the House of Representatives, at the present session, for the office of the secretary of state, at the rate of six cents per folio.

Mr. Patterson moved to amend the amendment by substituting therefor the following:

Resolved, That when the journal of this House shall have been published under the superintendence of the clerk, he shall annex a certificate under his hand to one copy thereof, to be deposited in the office of the secretary of state, there to be kept, and such copy so to be certified, shall be deemed and taken to be an authentic journal of the proceedings of this House.

On motion of Mr. Hazelton, the whole subject was laid on the table.

The House then resolved itself into committee of the whole, on the general order, Mr. Morse in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'bill relative to the department of natural history in the University of Michigan;'

A 'bill to authorize Henry Shaw Noble, a minor, to convey certain real estate;' and,

A 'bill to authorize the sale of a certain lot held in trust for the benefit of the Roman Catholic Church in the city of Monroe,' which bills were severally ordered to a third reading.

The committee of the whole also reported back the 'bill to provide for the construction of a ship canal around the Sault Ste. Marie, and to incorporate the Lake Superior Canal Company,' with an amendment, striking out all after the enacting clause, in which the concurrence of the House was asked.

The amendment was concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Ord,	
Andrews,	Groves,	Parsons,	
Blair,	Hawley	Peck,	
Brotherson,	Hazelton,	Ransom,	
Chubb,	Hollister,	Sanborn,	
Cole,	Kennedy,	Sprague,	
Cook,	Leach,	Sweeney,	
Davis,	W. Lewis,	Thomas,	
Dunham,	Moran,	Wakeman,	
Giddings,	Morse,	Webster,	
Glen,	Noble,	Speaker,	33

NAYS.

Mr. C. Baldwin,	Mr. Leland,	Mr. Pierce,	
Barrett,	O'Malley,	Rice,	
Hand,	Patterson,	Scott	9

Mr. Peck moved a reconsideration of the last vote, which motion was lost, and

On motion of Mr. Hawley, the further consideration of the enacting clause was indefinitely postponed.

Mr. Ames, from the committee on engrossment and enrollment reported that the following bills and joint resolution were correctly enrolled, and were this day presented to the governor for his approval, viz:

A 'bill to provide for the payment of the claim of Orville B. Dibble;'

A 'bill to provide for the payment of the claim of the Michigan Insurance Company;'

A 'bill to authorize the trustees of the first Presbyterian society of Grass Lake, in the county of Jackson, and state of Michigan, to convey certain real estate;'

A 'bill to vacate a part of the village plat of Medina, in the county of Lenawee;'

A 'bill to authorize the trustees of the Methodist Episcopal Church in Marshall to convey certain real estate;'

A 'bill ceding to the United States jurisdiction over the military reserve at Fort Gratiot, in the county of St. Clair;' and a

'Joint resolution relative to the state arms.'

The following message was received from the Senate:

SENATE CHAMBER, *May* 8, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return titles XXIII and XXIV, which the Senate have passed to a third reading and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Also to inform you that the Senate have receded from their second and ninth amendments, and insist upon their fifth, sixth, seventh, eighth, tenth, eleventh and twelfth amendments, to title XXV of the revision.

Also, to inform you that the Senate have receded from their first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, twenty-first, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-ninth amendments to titles XXXI and XXXII of the revision, and have ordered the titles as amended to be enrolled.

Also, to inform you that the Senate insist upon their first, second, third, fourth, fifth, sixth and seventh amendments to titles XXVI, XXVII and XXVIII, and have receded from their eighth amendment thereto.

Also, to inform you that Senators Green, Thurber and Smith have been appointed a committee of conference on the part of the Senate on the disagreement between the two houses upon titles XXV, XXVI, XXVII and XXVIII of the revision, and to respectfully ask the appointment of a like committee on the part of the House.

Also, to inform you that Senators Howell, Littlejohn and Smith, have been appointed a committee of conference on the part of the

Senate on the disagreement between the two houses upon the 'bill to amend an act entitled an act relative to the city of Detroit.'

Respectfully, yours, &c.

JAMES E. PLATT,

Secretary of Senate.

All of the Senate amendments to title XXIII of the proposed revision was concurred in, the title as amended was concurred in, and ordered to be enrolled.

Title XXIV of the proposed revision being under consideration, and the question being on concurring in the Senate amendments to said title, they were severally concurred in, with the exception of the fourteenth and sixteenth amendments thereto.

The fourteenth amendment was non-concurred in, and

On motion of Mr. Peck,

The sixteenth amendment was amended by striking out therefrom the word 'circuit,' and the amendment as amended was then concurred in.

By unanimous consent, Mr. Noble offered the following resolution which was adopted:

Whereas, The attorney general, as appears by the report contained in Senate document No. 21, year 1846, that the mortgage held by the state upon the Detroit and Pontiac railroad, "is a valid and subsisting lien upon the said road and upon its appurtenances, as well as upon the rights, privileges and franchises of said company, secured by the act of incorporation:"

And whereas, It also appears from said report that, "if proceedings have to be instituted to foreclose said mortgage, some additional provisions of law will probably be necessary," therefore,

Resolved, That the attorney general be requested to communicate to this House his opinion, whether there is any legal or equitable difficulty in foreclosing said mortgage whenever default is made in the payment of the same, and whether there is any difficulty in enforcing the legal or equitable claims of the state under said mortgage; and if there are any difficulties in foreclosing said mortgage, or in enforcing the 'valid and subsisting lien' of the state under said mortgage, that he report to this House what further legislation is necessary to remove such difficulties so that said mortgage may be enforced, and the property and franchises covered by said mortgage can be sold and

vest in the state, and whether there is any, and if any, what lien or liens on said road prior to the lien of the state, and if there are any such prior lien or liens, to what extent, and what the nature of them, and whether such prior lien or liens can be enforced, and whether any further legislation is necessary to make available the lien of the state on said road, and to report as soon as possible.

On motion of Mr. C. Baldwin, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Scott, the 'bill to incorporate the Owasso Literary Institute,' was taken from the table, and the question being on its passage, it was passed by a two thirds vote as follows:

YEAS.

Mr. Ames	Mr. Glen,	Mr. Ord,	
Andrews,	Hand,	Palmer,	
A. C. Baldwin,	Hawley,	Patterson,	
C. Baldwin,	Hazelton,	Ransom,	
Barrett,	Hollister,	Sanborn,	
Blair,	Jones,	Scott,	
Brotherson,	Leland,	Sprague,	
Cole,	W. Lewis,	Toll,	
Davis,	Morse,	Webster,	
Dunham,	O'Malley,	Speaker,	
Edmunds,			32

NAYS.

Mr. Barbour,	Mr. Groves,	Mr. Pierce,	
Chubb,	Kennedy,	Rice,	
Cook,	Leach,	Sweeney,	
Graham,	Parsons,	Wakeman,	12

The rule was suspended to enable the following bills to be put upon their passage:

The 'bill to authorize Henry Shaw Noble a minor, to convey certain real estate,' was read the third time, and the question being on its passage, it was not passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Palmer,	
Barrett,	Hand,	Parsons,	
Blair,	Hazleton,	Patterson,	
Brotherson,	Jones,	Sprague,	
Chubb,	Kennedy,	Sweeney,	
Cole,	O'Malley,	Toll,	
Dunham,			19

NAYS.

Mr. Ames,	Mr. Groves,	Mr. Pierce,	
A. C. Baldwin,	Hawley,	Ransom,	
C. Baldwin,	Hollister,	Rice,	
Barbour,	Leland,	Sanborn,	
Cook,	Leach,	Scott,	
Davis,	W. Lewis,	Wakeman,	
Edmunds,	Morse,	Webster,	
Glen,	Ord,	Speaker	
Graham,			25

Mr. Ames moved a reconsideration of the last vote, which motion was, on motion of Mr. Cole laid on the table.

The 'bill to authorize the sale of a certain lot held in trust for the benefit of the Roman Catholic Church in the city of Monroe,' was read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Parsons,	
Andrews,	Hawley,	Patterson,	
A. C. Baldwin,	Hazelton,	Pierce,	
Barbour,	Hollister,	Rice,	
Blair,	Jones,	Sanborn,	
Cole,	Kennedy,	Scott,	
Cook,	Leland,	Sprague,	
Dunham,	Morse,	Sweeney,	
Edmunds,	O'Malley,	Toll,	
Graham,	Ord,	Wakeman,	
Groves,	Palmer,	Speaker,	31

NAYS.

Mr. C. Baldwin,	Mr. Brotherson,	Mr. Glen,	
Barrett,	Chubb,	Leach,	6

The 'bill relative to the department of Natural History in the University of Michigan,' was read the third time and passed.

The House then took up title XXV of the proposed revision and insisted on their disagreement to the fifth Senate amendment thereto and receded from their disagreement to the sixth, seventh, eighth and ninth Senate amendments, and concurred in said amendments.

Titles XXVI, XXVII and XXVIII, were taken up, and the House receded from their disagreement to the first Senate amendment, and concurred in said amendment, and insisted on their disagreement to the second, third, fourth, fifth, sixth and seventh Senate amendments.

On motion of Mr. Toll,

A committee of conference was ordered to be appointed on the dis-

agreement between the two houses on titles XXV, XXVI, XXVII, and XXVIII of the proposed revision, and the Speaker appointed as such committee Messrs. Toll, Edmunds and Patterson,

Mr. Toll, from the committee on the militia, reported a bill to stand as title XXXIII of the proposed revision, which was read twice and referred to the committee of the whole.

The House then resolved itself into committee of the whole on title XXXIII of the proposed revision, Mr. Jones in the chair.

After some time spent thereon, the committee rose, and by their chairman reported the title back to the House.

On motion of Mr. Toll, the title was laid on the table.

The following communication was announced:

SENATE CHAMBER,
Detroit, May 8, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a 'bill to incorporate the Pontiac and Genesee railroad company,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

Your ob't serv't,
JAMES E. PLATT,
Secretary of Senate.

The 'bill to incorporate the Pontiac and Genesee railroad company' was read twice, and

On motion of Mr. Jones, laid on the table.

Mr. Noble, from the committee on the judiciary reported back without amendment, the 'bill to amend an act approved March 9, 1843, entitled an act to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers in chancery in certain cases, and for other purposes, approved April 15, 1839,' and recommended its passage.

The report was accepted, and the bill ordered to a third reading.

On motion of Mr. W. Lewis, the House adjourned.

Saturday, May 9, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called and Messrs. Barbour, Noble, Ten Eyck and Wing were absent on leave, and Messrs. Davis, Hollister, Moran, Ord and Thomas were absent without leave.

Mr. C. Baldwin asked and obtained leave of absence for Mr. Davis for the day.

The journal of yesterday was read and approved.

Mr. W. Lewis, from the committee on roads and bridges, reported back the petition of William F. Jennison and others, of Eagle, Clinton county, for an appropriation of non-resident taxes on a certain state road, and the petition of citizens of Clinton county, for the laying out of a road from Rochester colony to the village of Lyons, and reported adverse to the prayer of the petitions.

The report was accepted, and the petitions were laid on the table.

On motion of Mr. Toll,

Titile XXXIII of the proposed revision was taken from the table,

And on motion of Mr. Hazelton,

Referred to the committee of the whole.

On motion of Mr. Jones,

The 'bill to incorporate the Pontiac and Genessee Railroad Company,' was taken from the table.

The 'bill to amend an act approved March 9, 1848, entitled an act to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers in chancery in certain cases and for other purposes, approved April 15, 1839,' was read the third time and passed.

The 'bill to incorporate the Pontiac and Genesee railroad company' was ordered to a third reading and the rule was suspended to be now read the third time, when

The Speaker called Mr. Hazleton to the chair.

The above bill was read the third time and passed by a two thirds vote as follows:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Ransom,
A. C. Baldwin,	Jones,	Rice,
C. Baldwin,	Kennedy,	Sanborn,
Barrett,	Leland,	Scott,
Blair,	T. Lewis,	Sprague,
Brotherson,	W. Lewis,	Sweeney,
Chubb	Morse,	Toll,
Edmunds,	O'Malley,	Wakeman,
Hand,	Palmer,	Walker,
Hawley,	Peck,	Webster,
Hazleton,	Pierce,	32

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Groves,
Cole,	Graham,	Parsons, 7
Cook,		

The House then resolved itself into committee of the whole on title XXXIII of the proposed revision, Mr. Jones in the chair.

After some time spent thereon, the committee rose, and by their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. Wakeman, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

The following communication was received from the Attorney General, which was read, and on motion of Mr. Noble laid on the table:

ATTORNEY GENERAL'S OFFICE,
Detroit May 8, 1846.

SIR:—I have the honor to acknowledge the receipt of the following preamble and resolution this day adopted by the House of Representatives, viz:

Whereas, The attorney general, as appears by the report contained in Senate document No. 21, year 1846, that the mortgage held by the state upon the Detroit and Pontiac railroad, "is a valid and subsisting lien upon the said road and upon its appurtenances, as well as upon the rights, privileges and franchises of said company, secured by the act of incorporation:"

And whereas, It also appears from said report that, "if proceedings have to be instituted to foreclose said mortgage, some additional provisions of law will probably be necessary," therefore,

Resolved, That the attorney general be requested to communicate to this House his opinion, whether there is any legal or equitable difficulty in foreclosing said mortgage whenever default is made in the payment of the same, and whether there is any difficulty in enforcing the legal or equitable claims of the state under said mortgage; and if there are any difficulties in foreclosing said mortgage, or in enforcing the 'valid and subsisting lien' of the state under said mortgage, that he report to this House what further legislation is necessary to remove such difficulties so that said mortgage may be enforced, and the property and franchises covered by said mortgage can be sold and vest in the state, and whether there is any, and if any, what lien or liens on said road prior to the lien of the state, and if there are any such prior lien or liens, to what extent, and what the nature of them, and whether such prior lien or liens can be enforced, and whether any further legislation is necessary to make available the lien of the state on said road, and to report as soon as possible.

In compliance with the above resolution I herewith submit my opinion upon the several questions propounded.

The mortgage in question was made under the provisions of act No. 20, session laws 1838. The *third* section of that act required that all the right, title, property, interest or estate of said rail road company, in, to and of said rail road and its appurtenances, and in, to and of, all and singular the rights, privileges and franchises in said company by its act of incorporation, or otherwise vested, shall, in and by some proper instrument or instruments in writing, under the corporate seal of the said company, and signed by the president thereof, which said instrument in writing, the Auditor General for the time being, by the aid and advice of the Attorney General, shall prescribe be pledged, hypothecated and mortgaged to the said Auditor General and his successors in office, for the use of the state, 'before the Treasurer of the state should deliver to the company the certificates of stock, authorized to be issued by said act. The eighth section provides that 'in case the said company shall make default in payment of either the interest or principal of the said stock or any part thereof, it shall be lawful for the Treasurer of the state for the time being, to sell the said road and appurtenances, and all and singular, the rights interests, and franchises of said company at auction, to the highest

bidder, giving at least two months' notice of the time and place of such sale, by advertisement, to be published once in each week, in some one or more newspapers published in Pontiac, or to buy in the same at such sale, in behalf of the state, to be used and employed for the benefit of the state in the same manner as other like public works belonging thereto, and subject to such other disposition as the legislature may thereafter direct.' I apprehend no very serious difficulty in foreclosing the mortgage, in accordance with section third of said act. But it will be seen the Treasurer may buy it in for the state or not. Should he deem it for the interests of the state to buy it in, it would seem to me to be expedient, if not absolutely necessary, to authorize and direct the Board of Internal Improvement to take charge of the road and either to lease or manage the same for the benefit of the state. If it should become the property of the state all laws now in force and applicable to the public works, should be extended to this road; without some provisions of the kind alluded to, there may be difficulty in managing the road after it becomes the property of the state, and possibly in obtaining possession of it. It is presumed the state would prefer to sell it to individuals, rather than buy it in. If so the chances of such sale would be materially increased by authorizing the Treasurer to receive state liabilities instead of requiring cash at the sale. And also providing the manner in which the purchaser shall exercise the rights, privileges and franchises granted by the act of incorporation. The act under which the mortgage was given, makes no provision for such a contingency, neither does it prescribe the form of a certificate of sale to be given by the Treasurer to the purchaser, nor any mode of perpetuating the evidence of such sale. Will the purchaser be authorized to elect a board of directors under the provisions of the present act of incorporation, and conduct and manage the road in its present corporate name? I am inclined to think not, without express authority. With additional provisions of law fully covering the points suggested, I cannot now anticipate any difficulty in enforcing the legal and equitable claims of the state which may not be overcome.

I am not aware of any lien or liens on the road prior to the lien of the state. It has been said, however, that such a lien does exist in favor of the creditors of the bank of Pontiac by virtue of a trans-

hundred thousand dollars. Can the company accept of and avail themselves of the privileges granted to certain debtors, under these laws, and then turn round and say they are not debtors to the state? For the purpose of releasing their sureties, the company agreed to finish the rail road to Pontiac, so as to make the mortgage good security for the debt due the state. Can they now claim even, when the collateral securities have been surrendered, that the company are not liable on this mortgage because years since, and long before these transactions occurred, the stock of the company changed hands? If a ratification of the acts of the old stockholders was necessary, after a change of ownership, I believe the recognition of the mortgage, and the proceedings had under the laws of 1842 and 1843, referred to, by the company, would be held sufficient. But no such ratification or recognition was in my opinion necessary.

I have the honor to be, very
Respectfully your obedient servant,
HENRY N. WALKER,
Attorney General.

Hon. ISAAC E. CRARY,
Speaker of the House of Representatives.

The following memorial was presented by the Speaker, which was read, and

On motion of Mr. Peck, ordered to be entered on the journal:

To the Honorable the Legislature of the State of Michigan:

The Memorial and Remonstrance of the undersigned respectfully shews:

That your memorialists are holders of the bonds of the State of Michigan to a large amount; that they purchased the same in the year 1838, at par, and have continued to hold them to the present time; that the bonds held by them are of the number specified in the first section of an act of the Legislature of Michigan, passed 8th of March, 1843, 'and "for which the State has received the full consideration,' and by the said act made certain provisions to insure the payment of the interest thereon to your memorialists, from and after 1st of July, 1845, that the provisions of said act were assented to by your memorialists, and the terms proposed have been complied with on their part, and they have since, in reliance upon the pledged faith of the

state, entered into engagements and contracts which they will be required to meet at any sacrifice. They had no reason to believe that the security provided by the act in question would be or could be impaired by any subsequent act of the legislature of Michigan. Two sessions of the legislature previous to the present have been held since its passage, and not the slightest movement has been made, or intimation given by the public authorities of the state, calculated to alarm your memorialists or to interfere in any manner with the said law; and your memorialists have had every reason to believe that its just and equitable provisions were in accordance with and fully sustained by the sentiments of the people of the state, and would be faithfully observed. Under such circumstances, they cannot withhold the expression of their regret and surprise, to learn from the public newspapers, that a bill has actually passed one branch of the legislature, at its present session, suspending so much of the act of 1843, as provides for the payment of interest on the bonds held by them, for the term of two years, and until the further order of the legislature.—They are informed through the same source, that the only reason assigned for such proceeding is, that by the law for the sale of the Central Railroad, the legislature have provided for the payment of interest on the bonds held by them for the term of two years from 1st July, 1845; but the undersigned respectfully submit that it is obvious, that in case the stock for the road should not be subscribed within the period limited for the same, the law in question would operate as an absolute repeal of the act of 1843, and deprive them of all the security which was provided by that act, and so solemnly pledged and guaranteed to the parties accepting of its terms. And if the corporators should purchase the road, and the payment of the interest on the bonds should thereby be secured for the period of two years, which would relieve the state from the necessity of collecting a tax during that period, for that purpose, yet it is admitted that recourse must be had to taxation, to make up the then annually accruing interest on the bonds which would yet remain outstanding.

The undersigned do therefore most earnestly remonstrate and protest against the passage of any bill by the legislature, which shall affect or impair their rights under the act of 1843, or the obligations of the state created by such act, and they appeal with confidence to

the legislature to protect them in their just rights. They might enforce this appeal to your honorable body, by the most weighty considerations, affecting not only the interests and rights of the undersigned, and all persons similarly situated, but affecting also most seriously as they believe, the character and credit of the state of Michigan.

The act of 1843, so far as it recognized the obligations of the state and for which it acknowledged that it had received the full consideration, and provided for the payment of interest thereon, was founded in simple equity, and was assented to by your memorialists, from a conviction, that the state had given an earnest of her h gh and solemn purpose to do justice to the public creditors at the earliest practicable moment, and to the utmost extent of her ability. And under that act your memorialists by giving up the coupons attached to their original bonds, and taking the bonds of the state for their amount, they consider this a new contract with the state, under which they claim to have vested rights.

Your memorialists are aware that expectations were indulged, that the revenue of the railroads would furnish a considerable portion of the means to pay the interest on the bonds, and they have learned from the message of the Executive and other public documents relating to the financial condition of the state, that this expectation has not been realized during the past year, and that in consequence, it has been found necessary to levy a tax in pursuance of the law, sufficient to cover the whole amount of interest accruing on the bonds.

And although this tax is to be levied in October next, it is not probable that the proceeds of it can be applied to the payment of the interest on the bonds, for some nine or twelve months after that time; during which the payment of the interest will be suspended, giving ample time for the next legislature to modify the law if necessary. If, however, the sale of the Central rail-road is completed, which will be known before the tax is laid, then there will be no necessity for legislation in the matter.

To repeal or suspend entirely the law in question, without making any certain provision to meet the payment of the interest on the bonds, as therein provided, would inflict irreparable injury upon the character and credit of the state, and upon the individual interest and prosperity of your memorialists, and all persons similarly situated, and

would be so unjust, as that it could not be defended upon any grounds whatever, that your memorialists can conceive of.

All which is respectfully submitted.

D. D. WILLIAMSON,
President of Farmers' Loan and Trust Co.

GEO. GRISWOLD,
For himself and Executors of Heirs of Richard Alsop.

NEW YORK, *May 2d*, 1846.

Mr. Patterson from the committee on ways and means, by unanimous consent introduced a 'joint resolution providing for payment of stationery for members,' which was read twice and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the joint resolution as correctly engrossed, and the rule was suspended, and the joint resolution read the third time and passed.

Mr. Hand from the select committee on the sale of the public works, by unanimous consent, reported a 'bill supplementary to an act entitled an act to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company,' which was read twice, and referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 9, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill to legalize the proceedings of the township meeting of the township of Hartland, held on the 6th of April 1846, and for other purposes,' and to respectfully inform you that the Senate have passed the same.

Also, to return the 'joint resolution relative to certain books and documents,' which the Senate have adopted with an amendment, in which they respectfully ask the concurrence of the House.

Also, to return the 'bill to regulate private associations and partnerships,' and to respectfully inform you that the Senate have nonconcurred in the House amendments thereto, and that Senators Fenton, Thurber and Hale have been appointed a committee of conference on the part of the Senate on the disagreement between the two

houses upon said bill, and the appointment of a like committee on the part of the House is respectfully asked.

Also, to return tittles XXII and XXIX of the revision, which the Senate have passed to a third reading and made sundry amendments thereto in which the concurrence of the House is respectfully asked.

Also, to inform you that the Senate have concurred in the House amendments to the 'bill to incorporate the Grand Rapids canal and hydraulic company,' and have ordered the bill as amended to be enrolled.

Also, to inform you that the Senate have concurred in the House amendment to the sixteenth Senate amendment to title XXIV of the revision, have receded from their fourteenth amendment thereto, and have ordered the title as amended to be enrolled.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The 'bill to legalize the proceedings of the township meeting of the township of Hartland, held on the sixth of April, 1846, and for other purposes,' was ordered to be enrolled.

The Senate amendment to the 'joint resolution relative to certain books and documents,' was concurred in, and the joint resolution was ordered to be enrolled.

The House insisted on their amendment to the 'bill to regulate private associations and partnerships;' and

On motion of Mr. Peck,

A committee of conference was ordered to be appointed on the disagreement between the two houses on said bill, and the Speaker appointed as said committee, Messrs. Peck, Hand and Hazleton.

Title XXII of the proposed revision was then taken up, and the question being on concurring in the Senate amendments thereto, the first, second, third, fourth, seventh, ninth, twelfth, fourteenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-fourth, twenty-fifth, twenty-seventh and twenty-eighth amendments were severally concurred in, and the fifth, sixth, eighth, tenth, eleventh, thirteenth, fifteenth, sixteenth, seventeenth, twenty-second, twenty-third and twenty-sixth amendments were severally non-concurred in.

On motion of Mr. Hand,

The twenty-ninth amendment was amended by striking out there-

from the words 'and the possession of such property accompanying such mortgage, bill of sale, or lien on such property.'

On motion of Mr. Edmunds,

The amendment was further amended by inserting after the word 'described' the words except such as is mentioned in the eighth subdivision of this section.'

The amendment as amended was then concurred in.

The House then took up title XXIX, and the question being on concurring in the Senate amendments thereto, the first, second, third and fifth amendments were severally concurred in, and the fourth amendment was non-concurred in.

The fifth amendment, which strikes out of chapter one hundred and fifty, all relating to attorney's fees was concurred in by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Groves,	Mr. Ord,	
Barrett,	Hollister,	Palmer,	
Blair,	Jones,	Peck,	
Chubb,	Kennedy,	Sanborn,	
Cole,	Leland,	Sprague,	
Edmunds,	Leach,	Toll,	
Giddings,	T. Lewis,	Walker,	
Glen,	Noble,	Webster,	24

NAYS.

Mr. A. C. Baldwin,	Mr. Hawley,	Mr. Pierce,	
Barbour,	W. Lewis,	Rice,	
Cook,	McDonald,	Wakeman,	
Dunham,	Patterson,	Speaker,	
Hand,			13

On motion of Mr. Groves, the House adjourned.

Monday, May 11, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called and Messrs. Noble, Ten Eyck and Wing, were absent on leave, and Messrs. Ames, Edmunds, Leach, Ord, Patterson and Ransom were absent without leave.

The journal of Saturday was read and approved.

Saturday, May 9, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Harrison.

The roll was called and Messrs. Barbour, Noble, Ten Eyck and Wing were absent on leave, and Messrs. Davis, Hollister, Moran, Ord and Thomas were absent without leave.

Mr. C. Baldwin asked and obtained leave of absence for Mr. Davis for the day.

The journal of yesterday was read and approved.

Mr. W. Lewis, from the committee on roads and bridges, reported back the petition of William F. Jennison and others, of Eagle, Clinton county, for an appropriation of non-resident taxes on a certain state road, and the petition of citizens of Clinton county, for the laying out of a road from Rochester colony to the village of Lyons, and reported adverse to the prayer of the petitions.

The report was accepted, and the petitions were laid on the table.

On motion of Mr. Toll,

Titile XXXIII of the proposed revision was taken from the table,

And on motion of Mr. Hazelton,

Referred to the committee of the whole.

On motion of Mr. Jones,

The 'bill to incorporate the Pontiac and Genesee Railroad Company,' was taken from the table.

The 'bill to amend an act approved March 9, 1848, entitled an act to amend an act entitled an act to provide for the voluntary dissolution of corporations, and to prescribe the duties of receivers in chancery in certain cases and for other purposes, approved April 15, 1839,' was read the third time and passed.

The 'bill to incorporate the Pontiac and Genesee railroad company' was ordered to a third reading and the rule was suspended to be now read the third time, when

The Speaker called Mr. Hazleton to the chair.

The above bill was read the third time and passed by a two thirds vote as follows:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Ransom,	
A. C. Baldwin,	Jones,	Rice,	
C. Baldwin,	Kennedy,	Sanborn,	
Barrett,	Leland,	Scott,	
Blair,	T. Lewis,	Sprague,	
Brotherson,	W. Lewis,	Sweeney,	
Chubb	Morse,	Toll,	
Edmunds,	O'Mulley,	Wakeman,	
Hand,	Palmer,	Walker,	
Hawley,	Peck,	Webster,	
Hazleton,	Pierce,		32

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Groves,	
Cole,	Graham,	Parsons,	7
Cook,			

The House then resolved itself into committee of the whole on title XXXIII of the proposed revision, Mr. Jones in the chair.

After some time spent thereon, the committee rose, and by their chairman reported progress and asked and obtained leave to sit again.

On motion of Mr. Wakeman, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

The following communication was received from the Attorney General, which was read, and on motion of Mr. Noble laid on the table:

ATTORNEY GENERAL'S OFFICE,
Detroit May 8, 1846.

SIR:—I have the honor to acknowledge the receipt of the following preamble and resolution this day adopted by the House of Representatives, viz:

Whereas, The attorney general, as appears by the report contained in Senate document No. 21, year 1846, that the mortgage held by the state upon the Detroit and Pontiac railroad, "is a valid and subsisting lien upon the said road and upon its appurtenances, as well as upon the rights, privileges and franchises of said company, secured by the act of incorporation:"

And whereas, It also appears from said report that, "if proceedings have to be instituted to foreclose said mortgage, some additional provisions of law will probably be necessary," therefore,

Mr. Peck, from the committee of conference on the 'bill to regulate private associations and partnerships, reported that the committee recommend to the House to insist on their amendments to said bill, with the following amendments:

Amend section one by striking out all after the words 'purpose of,' in the third line, to the words 'may make' in the fifth line, and insert 'mining, smelting and manufacturing iron, copper or other metals in any form, within the limits of this state, or for the purpose of making from the ore any kind of metal in any form, or mining for ore of any kind, from which metal is or may be extracted;' and add to the end of the section as follows: 'and every such association or partnership shall keep its principal office, and therein keep the books of the company, within the county designated in its articles of agreement as the one in which its operations are to be carried on.'

Amend section four, by inserting after the words 'by each,' the following: 'the amount of stock actually paid in, the amounts of the debts due and owing from said company.'

Amend section six by striking out all after the word 'aggregate' and insert the following: 'one half the amount of the capital stock of said company actually paid in.'

Add a section to stand as section seven, as follows:

'Sec. 7. Every company formed under the provisions of this act shall keep in a proper book to be appropriated for that purpose exclusively, an accurate daily account of the debts and indebtedness of said company, the dates or times when the same were created or accrued, for what and to whom the same were made or incurred, and if any, what bond, note, bill, or security has been executed or given for or to secure the payment thereof; and such company shall keep a like daily account of all moneys, debts, and indebtedness disbursed, paid, or cancelled by such company, when paid out and to whom, and if for a previous debt or indebtedness of the company, the time or times when the same and the respective portions thereof, were incurred or created; and any creditor of said company whose demand is past due, may upon demand therefor made, inspect and examine either or both of the aforesaid books of said company, and in case such company is sued in any court of record of the county in which the business of said company is conducted, such court may upon cause

shown, order either or both of the books aforesaid to be produced in open court for inspection, and enforce obedience to such order, by attachment or otherwise.'

The amendment to the first section was non-concurred in by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Jones,	Mr. Peck,	
C. Baldwin,	Moran,	Sweeney,	
Barbour,	Morse,	Thomas,	
Dunham,	O'Malley,	Toll,	
Hand,	Ord,	Walker,	
Hawley,	Palmer,	Speaker,	
Hazelton,	Patterson,		20

NAYS.

Mr. Ames	Mr. Edmunds,	Mr. Noble,	
Andrews,	Giddings,	Parsons,	
Barrett,	Glen,	Pierce,	
Blair,	Graham,	Ransom,	
Brotherson,	Groves,	Rice,	
Chubb,	Hollister,	Sanborn,	
Cole,	Kennedy,	Sprague,	
Cook,	Leland,	Wakeman,	
Davis,	T. Lewis,	Webster,	27

The amendment to sections four and six were concurred in.

On motion of Mr. Ames, the vote was reconsidered by which the House non-concurred in the amendment to the first section of the bill, and the question recurring on concurring in the amendment, a division of the same was called for, and the second part of the amendment was concurred in.

The question then being on concurring in the first part of the amendment,

Mr. Ames moved to amend the same by inserting after the word 'extracted,' the words 'or for the purpose of conducting and carrying on the business of fishing, milling and manufacturing woolen goods,' which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Edmunds,	Mr. Ord,
Andrews,	Giddings,	Palmer,
A. C. Baldwin,	Hand,	Parsons,
C. Baldwin,	Hazelton,	Pierce,
Barbour,	Hollister,	Rice,
Barrett,	Jones,	Sanborn,
Blair,	Kennedy,	Sprague,

Brotherson,	Leland,	Sweeney,	
Chubb,	T. Lewis,	Toll,	
Cole,	Moran,	Webster,	
Davis,	O'Malley,		32

NAYS.

Mr. Cook,	Mr. McDonald,	Mr. Ransom,	
Dunham,	Morse,	Wakeman,	
Glen,	Noble,	Walker,	
Graham,	Patterson,	Speaker,	
Groves,	Peck,		14

Mr. Hazelton moved a reconsideration of the last vote, which motion was lost.

Mr. Hazelton moved to lay the bill on the table, which motion was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Dunham,	Mr. Patterson,	
Andrews,	Jones,	Peck,	
C. Baldwin,	Ord,	Sweeney,	
Brotherson,	Palmer,	Speaker,	
Cole,			13

NAYS.

Mr. A. C. Baldwin,	Mr. Groves,	Mr. O'Malley,	
Barbour	Hand,	Parsons,	
Barrett,	Hazleton,	Pierce,	
Blair,	Hollister,	Ransom,	
Chubb,	Kennedy,	Rice,	
Cook,	Leland,	Sanborn,	
Davis,	T. Lewis,	Sprague,	
Edmunds.	McDonald,	Toll,	
Giddings,	Moran,	Wakeman,	
Glen,	Morse,	Walker,	
Graham,	Noble,	Webster,	33

Mr. Ames moved an adjournment, which motion was lost.

Mr. Jones moved a call of the House, which motion was decided in the negative.

Mr. Walker moved the previous question, which was sustained by the House.

Mr. Hazelton moved to adjourn; but the House refused to adjourn.

Mr. Ames moved to lay the bill on the table,

Which motion was decided to be out of order by the Speaker, as the whole matter was under the previous question.

Mr. Ames appealed from the decision of the Speaker, when that decision was affirmed by the House.

Mr. Hazelton moved to reconsider the vote by which the decision of the Speaker was affirmed, which motion was lost; and,

The main question was now ordered to be put.

The main question, being on concurring in the amendments reported by the committee, as amended, was then put, and the amendments were non-concurred in.

Mr. Edmunds from the committee of conference on the disagreement between the two houses on title XXV of the proposed revision, reported that the committee recommended to the House to recede from their disagreement to, and concur in the fifth Senate amendment to said title.

The report was accepted, and the House receded from their disagreement to, and concurred in the said amendment.

Mr. Ord, from the committee on engrossment and enrollment, reported that the following bill and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval:

A 'bill to legalize the proceedings of the township meeting of the township of Hartland, held on the sixth of April, 1846, and for other purposes;' and

A 'joint resolution relative to certain books and documents.'

Mr. Patterson, from the committee on ways and means, by unanimous consent, reported a 'bill to provide for paying salaries of state officers, for the year 1846;' and,

A 'bill making appropriations to defray certain expenses authorized for the year 1846,' which bills were read twice and referred to committee of the whole.

On motion of Mr. Patterson,

The claim of S. N. Gantt for stationery furnished the legislature of 1845, was taken from the table.

On motion of Mr. Davis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

On motion of Mr. Patterson, the claim of S. N. Gantt was referred to the committee of the whole.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 11, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the following bills, and to respectfully inform you that the Senate have non-concurred therein:

A 'bill supplementary to an act to authorize the sale of the Central Railroad and incorporate the Michigan Central Railroad Company, and of an act amendatory thereof;'

A 'bill to provide for the improvement of a certain road in Clinton county, leading from Essex to Dewitt,'

A 'bill to provide for the improvement of a certain road in Clinton county;'

A 'bill to create a board of sale;'

A 'bill relative to proceedings against persons or incorporations usurping corporate powers, liberties or franchises, and incorporations guilty of misuser and nonuser;'

A 'bill to incorporate the Woodstock manual labor school;'

A 'bill to provide for the improvement of the road running from Paw Paw in Van Buren county, to Allegan in Allegan county;'

A 'bill to provide for the draining of swamps, marshes and other low lands, and to repeal an act on the same subject, approved April 18, 1839;' and

A 'bill to incorporate the Wesleyan Institute.'

Also, to respectfully inform you that the Senate have concurred in the House amendments to the 'bill to incorporate the Owasso Literary Institute,' and have ordered the bill as amended to be enrolled.

Also, to return the 'bill to amend an act entitled an act relative to common or primary schools,' and

The 'bill amendatory of the several acts touching licenses,' and to inform you that the Senate have passed the same with amendments in which they respectfully ask the concurrence of the House.

Also to return the following bills and to inform you that the Senate have passed the same:

A 'bill to legalize the returns of delinquent taxes for the year 1845 from the township of Florence in the county of St. Joseph;'

A 'bill to authorize polls to be opened at two places in the township of Hamtramck;'

A 'bill to authorize Almira Brokaw to convey certain real estate;'

A 'bill to authorize Louisa M. Skinner to convey certain real estate;' and

A 'bill for the taxation of dogs and for other purposes.'

Also to transmit the following bills, which the Senate have passed and in which the concurrence of the House is respectfully asked;

A 'bill for laying out and establishing all state roads heretofore laid out or to be hereafter located within this state;'

A 'bill to amend an act entitled an act to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841, approved March 24, 1845;'

A 'bill to provide for the preservation of the Clinton and Kalamazoo Canal,' and

A 'joint resolution relative to a final geological report.'

Also to respectfully inform you that the Senate have concurred in report of the committee of conference upon titles XXVI, XXVII and XXVIII of the revision, and have receded from their second, third, fourth, fifth, sixth and seventh amendments thereto.

Your ob't serv't,

JAMES E. PLATT,

Secretary of Senate.

The following bills were ordered to be enrolled, viz:

The 'bill to legalize the returns of delinquent taxes for the year 1845, from the the township of Florence, in the county of St. Joseph;'

The 'bill to authorize polls to be opened at two places in the township of Hamtramck;'

The 'bill to authorize Almira Brokaw to convey certain real estate;'

The 'bill to authorize Louisa M. Skinner to convey certain real estate;' and

The 'bill for the taxation of dogs, and for other purposes.'

The following bills and joint resolution were severally read twice and referred to the committee of the whole, viz:

A 'bill for laying out and establishing all state roads heretofore laid out or to be hereafter located within this state,'

A 'bill to provide for the preservation of the Clinton and Kalamazoo canal;'

A 'bill to amend an act entitled an act to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841, approved March 24, 1845;' and

A 'joint resolution relative to a final geological report.'

The 'bill to amend an act entitled an act relative to common and primary schools,' being under consideration, and the question being on concurring in the Senate amendments thereto, the first amendment was concurred in.

On motion of Mr. Glen, the second amendment was amended by inserting before the words 'ninety nine' the words 'one hundred and;' and the third amendment was amended by inserting before 'fifty' the words 'one hundred and,' and the amendment as amended was concurred in.

The Senate amendments to the 'bill amendatory of the several acts touching licences' were severally concurred in, and the bill ordered to be enrolled.

The following communication was announced;

SENATE CHAMBER,
Detroit, May 11, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the 'bill to incorporate the Flint river and Saginaw navigation company,' which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Respectfully, yours, &c.

JAMES E. PLATT,
Secretary of Senate.

The Senate amendments to the 'bill to incorporate the Flint river and Saginaw navigation company' were concurred in by the following vote, two thirds voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Patterson,
Andrews,	Hazelton,	Peck,
C. Baldwin,	Hollister,	Pierce,
Barrett,	Jones,	Rice,
Blair,	Kennedy,	Sanborn,
Brotherson,	Leland,	Scott,
Chubb,	W. Lewis,	Sprague,

Davis,	Moran,	Sweeney,	
Edmunds,	Morse,	Webster,	
Giddings	O'Malley,	Speaker,	
Glen,	Palmer,		32

NAYS.

Mr. Cole	Mr. Graham,	Mr. Leach,	
Cook,	Groves,		5

The bill was then ordered to be enrolled.

The following communication was announced:

SENATE CHAMBER,
Detroit, May 11, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title XXII of the revision, and to respectfully inform you that the Senate insist upon their fifth, eighth, fifteenth and seventeenth amendments thereto, and have receded from the rest of their amendments to said title, which were non-concurred in by the House.

Also, to inform you that Senators Allen, Coe and Fenton, have been appointed a committee of conference on the part of the Senate on the disagreement between the two houses on said title, and that the appointment of a like committee on the part of the House is respectfully asked.

Also, to inform you that the Senate have receded from their fourth amendment to title XXIX of the revision, and have ordered the same to be enrolled.

Also, to transmit a 'bill to provide for paying the salaries of state officers for the year 1846,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES E. PLATT,
Secretary of Senate.

The House insisted on their disagreement to the fifth, eighth and fifteenth Senate amendments to title XXII of the proposed revision, and receded from their disagreement to, and concurred in the seventeenth amendment thereto.

On motion of Mr. Groves, a committee of conference was ordered to be appointed on the disagreement between the two houses on said title XXII.

And the Speaker appointed as such committee Messrs. Groves, Hand and Blair.

The 'bill to provide for paying the salaries of state officers for the year one thousand eight hundred and forty-six,' was read twice and referred to committee on ways and means.

The House resolved itself into committee of the whole on the general order, Mr. Peck in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back to the House without amendment,

A 'bill for laying out and establishing all state roads heretofore laid out or hereafter to be located within this state;

A 'bill to amend an act entitled an act to amend an act antitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841, approved March 24, 1843;'

A 'joint resolution relative to a final geological report;' and

A 'bill supplementary to an act entitled an act to authorize the sal of the Southern Railroad and to incorporate the Michigan Southern Railroad Company.'

Also reported back with sundry amendments in which the concurrence of the House was asked:

A 'bill to making appropriations to defray certain expenses authorized for the year 1846;' and

A 'bill to provide for the preservation of the Clinton and Kalamazoo canal.'

Mr. Groves, from the committee of conference on the disagreement between the two Houses on title XXII of the proposed revision, reported that the committee recommend to the 'House to concur in the fifth Senate amendment with an amendment striking out of section eighteen the words 'any court of record,' and insert 'the county court,' and place said section eighteen at the end of chapter one hundred and two, to stand as section one hundred and two; that the House recede from their disagreement to, and concur in, the eighth Senate amendment, and that the House insist on their disagreement to the fifteenth Senate amendment to s id title.

The report was accepted and concurred in.

Mr. Noble, from the committee on judiciary, by unanimous consent, reported back the 'bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad,' with a substitute therefor, and the bill and substitute were referred to the committee of the whole.

The amendments made in committee of the whole to the 'bill to provide for paying salaries of state officers for the year 1846,' were concurred in, and the bill ordered to be engrossed for a third reading.

The amendments made in committee of the whole to the 'bill making appropriations to defray certain expenses authorized for the year 1846,' were concurred in; and,

On motion of Mr. Hazelton, the bill was recommitted to the committee on ways and means.

The amendments made in committee of the whole to the 'bill to provide for the preservation of the Clinton and Kalamazoo canal,' striking out therefrom the first section, was concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Glen	Mr. Patterson,	
Barbour,	Groves,	Pierce,	
Blair,	Hand,	Rice,	
Brotherson,	Jones,	Sanborn,	
Chubb	Kennedy,	Sprague,	
Cole,	M'Donald,	Wakeman,	
Giddings,	Parsons,	Webster,	21

NAYS.

Mr. C. Baldwin,	Mr. Graham,	Mr. Ord,	
Barrett,	W. Lewis,	Peck,	
Cook,	Moran,	Scott,	
Davis,	Morse,	Walker,	
Dunham,	Noble,	Speaker,	
Edmunds,			16

Mr. Sanborn moved a reconsideration of the last vote, which motion was lost.

Mr. Andrews moved that the further consideration of the bill be indefinitely postponed, which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Glen,	Mr. Jones,	
Barbour,	Graham,	Kennedy,	
Blair,	Groves,	O'Malley,	
Brotherson,	Hand,	Rice,	
Chubb,	Hazleton,	Wakeman,	
Giddings,	Hollister,		17

NAYS.

Mr. Ames,	Mr. W. Lewis,	Mr. Pierce,	
A. C. Baldwin,	M'Donald	Sanborn,	
C. Baldwin,	Moran,	Scott,	

Barrett,	Morse,	Sprague,	
Cook,	Noble	Toll.	
Davis	Ord,	Walker	
Dunham,	Parsons	Webster,	
Edmunds,	Patterson,	Speaker,	
Leland,	Peck,		20

On motion of Mr. Peck,

The words 'by the Senate and House of Representatives of the State of Michigan,' were inserted after the word 'enacted.'

Mr. Hand moved to amend the second section by striking off from the end of the same the words 'by drawing a land scrip in the usual form, without interest,' and inserting in lieu thereof, the words 'from the proceeds of the canal,' which motion was lost.

On motion of Mr. Leland, the vote was reconsidered by which the last amendment was rejected, and the question recurring on the adoption of the amendment, it was not adopted by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Kennedy,	
Barbour,	Glen,	Leland,	
Blair,	Graham,	Parsons,	
Chubb,	Groves,	Pierce,	
Cook,	Hand,	Rice,	
Dunham,	Jones,	Wakeman,	
Edmunds,			19

NAYS.

Mr Ames,	Mr. Hollister,	Mr. Sanborn,	
A. C. Baldwin,	W. Lewis,	Scott,	
C. Baldwin,	Moran,	Sprague,	
Barrett,	Morse,	Toll,	
Cole,	Noble,	Walker,	
Davis,	Ord,	Webster,	
Hazleton,	Peck,	Speaker	21

Mr. Hazleton moved to add at the end of section two, the words 'to an amount not exceeding three thousand dollars.'

Mr. Rice moved to amend the amendment by striking out 'three' and inserting 'one,' which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. Kennedy,	
Blair,	Glen,	Leland,	
Chubb,	Graham,	Parsons,	
Cole,	Groves,	Rice,	
Cook,	Hand,	Wakeman,	
Edmunds,	Jones		17

NAYS.

Mr. Ames	Mr. W. Lewis,	Mr. Pierce,
A. C. Baldwin,	Moran,	Sanborn,
C. Baldwin,	Morse,	Scott,
Barbour,	Noble	Sprague,
Barrett,	O'Malley,	Toll,
Davis,	Ord,	Walker,
Dunham,	Patterson,	Webster
Hazleton,	Peck,	Speaker,
Hollister		25

Mr. Jones moved an adjournment, which motion did not prevail.

The question then recurring on the amendment moved by Mr. Hazleton, it prevailed.

On motion of Mr. Hand,

The word 'directed' was stricken out of the second line of section two, and 'authorized' inserted.

Mr. Pierce moved to lay the bill on the table, which motion was lost, and the bill was then ordered to a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval:

A 'bill to legalize the returns of delinquent taxes for the year 1845 from the township of Florence, in the county of St. Joseph;'

A 'bill to authorize polls to be opened at two places in the township of Hamtramck;' and

A 'bill to authorize Louisa M. Skinner to convey certain real estate.'

Also reported title XXVI of the proposed revision as correctly enrolled, and that the same was this day deposited with the Governor.

On motion of Mr. Rice, the House adjourned.

Tuesday, May 12, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. Ten Eyck and Wing were absent on leave, and Messrs. Brotherson, T. Lewis and Thomas were absent without leave.

The journal of yesterday was read and approved.

Mr. Patterson, from the committee on ways and means, reported a 'bill relative to the preservation of the records of the legislature,' which was read twice and referred to the committee of the whole.

Also reported back the 'bill making appropriations to defray certain expenses authorized for the year 1846;' and the bill was laid on the table and ordered to be printed.

Mr. Toll, from the committee on the militia, reported back the petions of Ruel C. Baker and others, of Jackson county for an alteration of the militia law, and the petition was laid on the table.

The following communication was announced:

EXECUTIVE OFFICE,
Detroit, May 11, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State 'an act to legalize the proceedings of the township meeting of the township of Hartland, in the county of Livingston, held April 6, 1846, and for other purposes.'

Also a 'joint resolution relative to certain books and documents.'

ALPHEUS FELCH.

The following communication was announced:

SENATE CHAMBER,
May 11, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'joint resolution providing for payment of stationery for members,' and to inform you that the Senate have adopted the same with an amendment in which the concurrence of the House is respectfully asked.

Also, to transmit a 'bill to make the homestead inalienable and to regulate and define the separate interests of married persons,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

Also to transmit a 'bill to incorporate the Port Huron and Lake Michigan railroad company,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,
Secretary of the Senate.

The Senate amendment to the 'joint resolution providing for payment of stationery for members' was concurred in, and the joint resolution was ordered to be enrolled.

The 'bill to make the homestead inalienable and to regulate and define the separate interests of married persons' was read twice and referred to the committee of the whole.

The 'bill to incorporate the Port Huron and Lake Michigan railroad company,' was read twice and referred to the committee of the whole.

On motion of Mr. Noble,

The motion to reconsider the vote by which the 'bill to authorize Henry Shaw Noble, a minor, to convey certain real estate,' was lost was taken from the table; when,

Mr. Noble moved to indefinitely postpone the motion to reconsider, which motion was lost, and the vote was reconsidered.

The question then recurring on the passage of the bill, it was passed by the following vote:

YEAS.

Mr. Andrews,	Mr. Hand,	Mr. Patterson,	
C. Baldwin,	Hawley,	Peck,	
Barbour,	Hazelton,	Scott,	
Barrett,	Jones,	Sprague,	
Chubb,	Kennedy,	Sweeney,	
Cole,	W. Lewis,	Toll,	
Cook,	Moran,	Wakeman,	
Davis,	Morse,	Walker,	
Graham,	O'Malley,	Webster,	
Groves,	Palmer	Speaker,	30

NAYS.

Mr. Blair,	Mr. Hollister,	Mr. Parsons,	
Dunham,	Leland,	Pierce,	
Edmunds,	Leach,	Rice,	
Giddings,	McDonald,	Sanborn,	12

The 'bill to provide for the preservation of the Clinton and Kalamazoo canal,' was read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Leach,	Mr. Scott,
C. Baldwin	W. Lewis,	Sprague,
Barbour,	Moran,	Sweeney,
Barrett,	Morse,	Thomas,
Davis,	Palmer,	Toll,

Dunham,	Patterson,	Walker,	
Hazelton	Peck,	Webster,	
Hollister,	Sanborn,	Speaker,	24

NAYS.

Mr. Andrews,	Mr. Graham,	Mr Leland,	
Chubb,	Groves,	McDonald,	
Cole,	Hand,	Parsons,	
Cook,	Hawley,	Pierce,	
Edmunds,	Jones,	Rice,	
Giddings,	Kennedy,	Wakeman	18

The 'bill to provide for paying salaries of state officers for the year 1846' was read the third time and passed.

Mr. Ames, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval:

A 'bill for the taxation of dogs, and for other purposes;'

A 'bill amendatory of the several acts touching licenses.'

UNFINISHED BUSINESS.

On motion of Mr. Rice,

The 'bill for laying out and establishing all state roads, heretofore laid out or to be hereafter located within this state,' was referred to a select committee, with instructions to make such amendments as are necessary; and the Speaker appointed as such select committee Messrs. Rice, Peck and Noble.

The 'bill supplementary to an act to authorize the sale of the Southern railroad, and to incorporate the Michigan Southern Railroad company,' being under consideration, it was,

On motion of Mr. Hand, amended by striking out 'board of sale,' where it occurs, and inserting 'board of internal improvement.'

On motion of Mr. Hand the bill was laid on the table.

The 'bill to amend an act entitled an act to amend an act entitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841, approved March 24, 1845;' and

The 'joint resolution relative to a final geological report,' were severally ordered to a third reading.

On motion of Mr. Hazleton, the rules were suspended, to enable him to re-introduce the 'bill to authorize the draining of Gross Point Marsh, in the township of Hamtramck, in Wayne county,' and the

bill was read twice and ordered to be engrossed for a third reading.

Mr. W. Lewis, from the committee on roads and bridges, by unanimous consent, reported a 'bill to amend an act entitled an act to provide for laying out a certain state road, and for other purposes, approved March 24, 1845,' which was read twice, and referred to the committee of the whole.

The House then resolved itself into committee of the whole on the general order, Mr. Hazleton in the chair, and after some time spent thereon the committee rose.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 12, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the report of the committee of conference upon title XXII of the revision, so far as to concur in their recommendation in regard to section 18, of chapter 99, and section 5, of chapter 100, being in regard to the fifth and eighth Senate amendments, and have non-concurred in the recommendation in regard to the fifteenth amendment, that they insist upon said amendment, and have appointed a new committee of conference consisting Senators Howell, Green and Thurber, and that the appointment of a new committee of conference on the part of the House is respectfully requested.

Also, to return the 'bill to amend an act entitled an act relative to common or primary schools,' and to respectfully inform you that the Senate have non-concurred in the House amendments to the Senate amendments thereto.

Your ob't serv't,
JAS. E. PLATT,
Sec. Senate.

The House insisted on their disagreement to the fifteenth Senate amendment to title XXII of the proposed revision; and

On motion of Mr. Hand,

A new committee of conference was ordered to be appointed on the disagreement between the two Houses on said title, and the Speaker appointed as such committee Messrs. Hand, A. C. Baldwin and Cook.

The 'bill to amend an act entitled an act relative to common or primary schools,' being under consideration, the House receded from their amendments to the Senate amendments, concurred in said Senate amendments, and ordered the bill to be enrolled.

The House then resolved itself into committee of t..e whole on the general order, Mr. Hazelton in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'bill relative to the preservation of the records of the legislature;' and

A 'bill to incorporate the Port Huron and Lake Michigan Railroad Company.'

Also reported back with an amendment, in which the concurrence of the House was asked,

A 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac Railroad.'

The amendment to, being a substitute for, the bill, was concurred in, and the substitute ordered to be engrossed for a third reading.

The 'bill relative to the preservation of the records of the legislature was ordered to be engrossed for a third reading.

The 'bill to incorporate the Port Huron and Lake Michigan Railroad Company,' was ordered to a third reading.

Mr. Hand, from the committee of conference on the disagreement between the two Houses, on title XXII of the proposed revision, reported that the committee could not agree.

Mr. Groves moved that the House recede from their disagreement to the fifteenth Senate amendment to said title XXII, which motion prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Giddings,	Mr. McDonald,	
C. Baldwin,	Glen,	Morse,	
Barbour,	Groves,	Patterson,	
Blair,	Hollister,	Pierce,	
Cole,	Kennedy,	Sweeney,	
Cook,	Leach,	Toll,	
Dunham,	W. Lewis,	Wakeman,	21

NAYS,

Mr. Brotherson,	Mr. Hazleton,	Mr. Sanborn,	
Davis,	T. Lewis,	Scott,	

Edmunds,	Palmer,	Sprague,	
Graham,	Peck,	Walker,	
Hand,	Ransom,	Speaker,	
Hawley,			16

The House then concurred in said fifteenth amendment, and ordered the title as amended to be enrolled.

Mr. Patterson, from the committee on ways and means, by unanimous consent, reported a 'joint resolution of instructions to the board of internal improvement,' which was read twice and referred to the committee of the whole.

On motion of Mr. W. Lewis, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The House then resolved itself into committee of the whole on the general order, Mr. Sweeney in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back to the House without amendment,

A 'joint resolution of instructions to the board of internal improvement;'

A 'bill to amend an act entitled an act to provide for laying out a certain state road and for other purposes, approved March 24, 1843;' and

A 'bill to make the homestead inalienable, and to regulate and define the separate interests of married persons.'

The 'joint resolution of instructions to the board of internal improvement;' and

The 'bill to amend an act entitled an act to provide for laying out a certain state road and for other purposes, approved March 24, 1845,' were severally ordered to be engrossed for a third reading.

Mr. Patterson moved to amend the 'bill to make the homestead inalienable, and to regulate and define the separate interests of married persons,' by striking out all after the enacting clause, which motion was lost by the following vote:

YEAS.

Mr. Ames	Mr. Hand,	Mr. Patterson,
A. C. Baldwin,	Hawley,	Peck,

C. Baldwin,	Hollister,	Pierce,	
Barbour,	McDonald,	Scott,	
Chubb,	Noble,	Sprague,	
Davis,	O'Malley,	Sweeney,	
Glen,	Ord,	Walker,	
Graham,			22

NAYS.

Mr. Andrews,	Mr. Hazelton,	Mr. Parsons,	
Blair,	Jones,	Ransom,	
Brotherson,	Kennedy,	Rice,	
Cole,	Leland,	Sanborn,	
Cook,	Leach,	Toll,	
Edmunds,	T. Lewis,	Wakeman,	
Giddings,	Morse,	Webster,	
Groves,	Palmer,	Speaker,	24

Mr. Patterson moved that the further consideration of the bill be indefinitely postponed, which motion was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Peck,	
A. C. Baldwin,	Hand,	Pierce,	
C. Baldwin,	Hawley,	Sanborn,	
Barbour,	Hollister,	Scott,	
Davis,	McDonald,	Sprague,	
Glen,	O'Malley,	Sweeney,	
Graham,	Patterson,	Walker,	21

NAYS.

Mr. Andrews,	Mr. Jones,	Mr. Ord,	
Blair,	Kennedy,	Palmer,	
Brotherson,	Leland,	Parsons,	
Chubb,	Leach,	Ransom,	
Cole,	T. Lewis,	Rice,	
Cook,	Moran,	Toll,	
Edmunds,	Morse,	Wakeman,	
Giddings,	Noble,	Speaker,	
Hazleton,			26

On motion of Mr. Noble,

The bill was recommitted to a select committee, with instructions to strike out sections three, four, five, six, fourteen and fifteen, and to make other amendments to the same.

The Speaker appointed as such committee, Messrs. Noble, Andrews and Leach.

Mr. Ames from the committee on engrossment and enrollment, reported the following bills as correctly engrossed:

A 'bill relative to the preservation of the records of the legislature,'

and a 'bill to authorize the draining of Gross Point marsh, in the township of Hamtramck, Wayne county.'

Also reported that the following bills and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval, viz:

A 'bill to amend an act entitled an act relative to common or primary schools,' and a 'joint resolution providing for the payment of stationery, furnished the members of the House of Representatives.'

Mr. Rice from the select committee, reported back the 'bill for laying out and establishing all state roads heretofore laid out, or to be hereafter laid out within this state,' with sundry amendments which were concurred in by the House.

On motion of Mr. Hawley,

The first line of section two was amended by inserting after 'freeholder,' the words of each;' and the second line of section five was amended by striking out the words 'respective townships,' and inserting 'counties,'and the word 'thereby' was stricken out of the third line of the same section.

The bill was then ordered to a third reading.

On motion of Mr. Hazelton, the rule was suspended, and the following bills and joint resolution were severally read the third time and passed:

A 'bill to amend an act entitled an act to amend an act antitled an act to prescribe the powers and duties of justices of the peace in civil proceedings, approved April 9, 1841, approved March 24, 1845;'

A 'bill relative to the preservation of the records of the legislature' and a 'joint resolution relative to a final Geological report;'

The 'bill to authorize the draining of Gross Point marsh, in the township of Hamtramck, in Wayne county,' was read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. O'Malley,
Andrews,	Groves,	Ord,
A. C. Baldwin,	Hand,	Palmer,
C. Baldwin,	Hawley,	Rice,
Barbour,	Hazelton,	Sanborn,
Blair,	Hollister,	Sprague,
Brotherson,	Kennedy,	Toll,
Chubb,	Leland,	Walker,

84

	Davis,	T. Lewis,	Webster,
	Dunham,	Moran,	29

NAYS.

Mr.	Barrett,	Mr. McDonald,	Mr. Ransom,
	Cole,	Noble,	Sweeney,
	Cook,	Parsons,	Wakeman,
	Edmunds,	Peck,	Speaker,
	Giddings,	Pierce,	14

The 'bill to incorporate the Port Huron and Lake Michigan railroad company' was read the third time, and the question being on its passage, it was not passed by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr.	Ames,	Mr. Hollister,	Mr. Palmer,
	A. C. Baldwin,	Jones,	Peck,
	C. Baldwin,	Leland,	Pierce,
	Barrett,	Leach,	Rice,
	Brotherson,	W. Lewis,	Sanborn,
	Davis,	Moran,	Scott,
	Edmunds.	Morse,	Walker,
	Hawley,	O'Malley,	Webster,
	Hazleton,		25

NAYS.

Mr.	Andrews,	Mr. Glen,	Mr. Noble,
	Barbour	Graham,	Parsons,
	Blair,	Groves,	Sweeney,
	Chubb,	Hand,	Sprague,
	Cole,	Kennedy,	Toll,
	Cook,	T. Lewis,	Wakeman,
	Dunham,	McDonald,	Speaker,
	Giddings,		22

Mr. Peck moved a reconsideration of the last vote, which motion prevailed by the following vote:

YEAS.

Mr.	Ames,	Mr. Leland,	Mr. Palmer,
	A. C. Baldwin,	Leach,	Peck,
	C. Baldwin,	T. Lewis,	Pierce,
	Brotherson,	W. Lewis,	Rice,
	Davis,	Moran,	Sanborn,
	Edmunds,	Morse,	Scott
	Hawley	Noble,	Walker,
	Hazleton,	O'Malley,	Webster,
	Hollister,	Ord,	Speaker,
	Jones,		28

NAYS.

Mr. Andrews,	Mr. Dunham,	Mr. McDonald	
Barbour,	Giddings,	Parsons,	
Barrett,	Glen,	Sprague,	
Blair,	Graham,	Sweeney,	
Chubb,	Groves,	Toll,	
Cole,	Hand	Wakeman,	
Cook,	Kennedy,		20

Mr. Walker moved that the bill be committed to a select committee with instructions to amend the same by striking section thirty and inserting the following:

'Sec. 30. The legislature may at any time alter, amend or repeal this act,' which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Kennedy,	Mr. Palmer,	
Andrews,	Leland,	Peck,	
A. C. Baldwin,	Leach,	Rice,	
C. Baldwin,	T. Lewis,	Sanborn,	
Cook,	W. Lewis,	Scott,	
Davis,	Moran,	Wakeman,	
Dunham,	Morse,	Walker,	
Hawley,	Noble,	Webster,	
Hazelton,	O'Malley,	Speaker,	
Hollister,	Ord,		29

NAYS.

Mr. Barbour,	Mr. Giddings,	Mr. Parsons,	
Barrett,	Glen,	Pierce,	
Blair,	Graham,	Ransom,	
Brotherson,	Groves,	Sprague,	
Chubb,	Hand,	Sweeney,	
Cole,	Jones,	Toll,	
Edmunds,	McDonald,		20

The Speaker appointed as such committee, Messrs. Walker, Peck and Jones.

Mr. Walker from the select committee, reported back the bill amended in accordance with the instructions.

On motion of Mr. Hazelton, a call of the House was had, and Messrs. Barrett, O'Malley, Patterson and Thomas were absent without leave.

Mr. Webster asked and obtained leave of absence for Mr. Thomas for the afternoon, on account of sickness.

Mr. Barbour asked leave of absence for Mr. Patterson for the afternoon, which was refused.

On motion of Mr. Hazleton, the sergeant-at-arms was sent for the absentees.

The sergeant-at-arms returned with Messrs. Barrett and O'Malley, who rendered their excuses, which were accepted.

On motion of Mr. Hawley, all further proceedings under the call were dispensed with.

The amendment reported by the select committee was then concurred in by yeas and nays, as follows:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Palmer,	
Andrews,	Hawley,	Peck,	
A. C. Baldwin,	Hollister,	Rice,	
C. Baldwin,	Kennedy,	Sanborn,	
Barbour,	Leland,	Scott,	
Cole,	T. Lewis,	Sprague,	
Cook,	W. Lewis,	Toll,	
Davis	Moran,	Wakeman,	
Dunham,	Morse,	Walker	
Edmunds,	Noble	Webster,	
Glen,	Ord,	Speaker,	33

NAYS.

Mr. Barrett,	Mr. Hand,	Mr. O'Malley,	
Blair,	Hazleton,	Parsons	
Brotherson,	Jones,	Pierce,	
Chubb,	Leach,	Ransom,	
Giddings,	M'Donald	Sweeney,	
Groves,			16

The question then recurring on the passage of the bill, it was not passed by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Peck,	
A. C. Baldwin,	Leland,	Pierce,	
C. Baldwin,	Leach,	Rice,	
Brotherson,	W. Lewis,	Sanborn,	
Davis,	Moran,	Scott,	
Edmunds,	Morse,	Walker,	
Hawley,	Ord,	Webster,	
Hazelton,	Palmer,	Speaker,	24

NAYS.

Mr. Andrews,	Mr. Giddings,	Mr. Noble,	
Barbour,	Glen	O'Malley,	
Barrett,	Graham,	Parsons,	
Blair,	Groves,	Ransom,	
Chubb	Hand,	Sprague,	

Cole,	Kennedy,	Sweeney,	
Cook,	T. Lewis,	Toll,	
Dunham,	M'Donald,	Wakeman,	24

On motion of Mr. Scott, the House adjourned.

Wednesday, May 13, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Mr. Thomas was absent on leave, and Mr. Ten Eyck without leave.

The journal of yesterday was read and approved.

Mr. W. Lewis from the committee on roads and bridges, reported a 'bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand River at the village of Lyons,' which was read twice and referred to the committee of the whole.

Mr. Noble from the select committee reported back the 'bill to make the homestead inalienable, and to regulate and define the separate interests of married persons,' with sundry amendments, and the bill and amendments were referred to committee of the whole.

The following communication was announced:

EXECUTIVE OFFICE,
Detroit, May 12, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, an act to authorize the polls to be opened at two places in the township of Hamtrack.'

Also 'an act to authorize Louisa M. Skinner to convey certain real estate.'

Also 'an act to legalize the returns of delinquent taxes for the year eighteen hundred and forty-five, from the township of Florence in the county of St. Joseph.'

Also 'an act amendatory of the several acts touching licenses.'

Also 'an act to provide for the taxation of dogs, and for other purposes.'

ALPHEUS FELCH.

On motion of Mr. Hazelton,

The 'bill to authorize the township of Penonagawink to hold a township meeting therein, and for other purposes,' was taken from the table.

On motion of Mr. Hand,

The committee of the whole were discharged from the further consideration of the claim of S. N. Gantt.

Mr. Blair moved to indefinitely postpone the further consideration of the claim, which motion was lost by the following vote:

YEAS.

Mr. Barrett,	Mr. Kennedy,	Mr. Patterson,	
Blair,	Leland,	Pierce,	
Brotherson,	W. Lewis,	Ransom,	
Chubb,	McDonald,	Sanborn,	
Cook,	Moran,	Sprague,	
Giddings,	Noble,	Sweeney,	
Hollister,	Palmer,	Webster,	21

NAYS.

Mr. Andrews,	Mr. Hand,	Mr. Parsons,	
A. C. Baldwin,	Hawley,	Peck,	
C. Baldwin,	Hazleton,	Rice,	
Barbour,	Jones,	Scott,	
Davis,	Leach,	Toll,	
Dunham,	T. Lewis,	Wakeman,	
Edmunds,	Morse,	Walker,	
Glen,	O'Malley,	Speaker,	
Groves,	Ord,		26

On motion of Mr. Hazelton,

The claim was referred to the committee of the whole.

On motion of Mr. Hazelton,

The 'bill making appropriations to defray certain expenses, authorized for the year 1846,' was taken from the table and referred to the committee of the whole.

On motion of Mr. C. Baldwin, the resolution relative to recording the journal of the House of Representatives, together with the amendments thereto, laid on the table on Friday last, were taken from the table, and the further consideration of the same indefinitely postponed.

The Senate amendments to the 'bill to authorize the township of Pewonagawink to hold a township meeting therein, and for other purposes,' were concurred in by the House, and the bill as amended was ordered to be enrolled.

On motion of Mr. Hand, the 'bill supplementary to an act entitled an act to authorize the sale of the Southern railroad, and to incorporate the Michigan Southern Railroad Company,' was taken from the table, and referred to the committee of the whole.

The following communication was announced:

SENATE CHAMBER,
Detroit, May 12, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return House 'bill to stand as title XXXIII of the proposed revision,' and to respectfully inform you that the Senate have non-concurred therein as a title in the proposed revision, but have passed a 'bill to provide for organizing an active militia, and for other purposes,' which is the same as the bill sent up by the House with sundry amendments, a copy whereof, together with the bill, is herewith transmitted, and in which the concurrence of the House is respectfully asked.

Also, to transmit a 'joint resolution relative to a portion of the public debt;'

A 'bill to amend chapter 1, title 2, part 1, of the revised statutes, in relation to the time of holding the general election,' which the Senate have passed and in which the concurrence of the House is respectfully asked.

Respectfully, yours, &c.

JAMES E. PLATT,
Secretary of Senate.

The 'bill to amend chapter one, title two, part first of the revised statutes, in relation to the time of holding the general elections,'

The 'joint resolution relative to a portion of the public debt,' and

The 'bill to provide for the organization of an active militia, and for other purposes,' were severally read twice and referred to the committee of the whole.

The House resolved itself into committee of the whole on the general order, Mr. Jones in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back the following bills and joint resolution, with sundry amendments, in which the concurrence of the House was asked:

A 'bill to provide for organizing an active militia and for other purposes;'

A 'bill to make the homestead inalienable, and to regulate and define the separate interests of married persons;'

A 'joint resolution relative to a portion of the public debt.'

Mr. Ord, from the committee on engrossment and enrollment, reported the following bill and joint resolution as correctly engrossed, viz:

A 'bill to amend an act entitled an act to provide for laying out a certain state road, and for other purposes, approved March 24, 1845;' and a 'joint resolution of instructions to the board of internal improvement.'

On motion of Mr. Ord,

It was ordered that four additional members be appointed on the committee on engrossment and enrollment.

And the Speaker appointed as such additional members, Messrs. Sprague, Scott, Andrews and Leach.

On motion of Mr. Leland, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

On motion of Mr. Patterson,

The 'bill to make the homestead inalienable, and to regulate and define the separate interests of married persons,' together with the amendments made in committee of the whole, was laid on the table.

On motion of Mr. Peck,

The 'joint resolution relative to a portion of the public debt,' together with the amendments made in committee of the whole, was laid on the table.

On motion of Mr. Hawley,

The 'bill to provide for the organization of an active militia, and for other purposes,' together with the amendments made in committee of the whole, was laid on the table.

On motion of Mr. Patterson,

The House then resolved itself into committee of the whole on the 'bill making appropriations to defray certain expenses authorized for the year 1846,' Mr. Blair in the chair.

After some time spent thereon, the committee rose, and by their

chairman reported the bill back with sundry amendments, in which the concurrence of the House was asked.

The first, second, third, fourth, fifth, sixth, and ninth amendments were severally concurred in, and the seventh and eighth amendments were non-concurred in.

The question being on concurring in the tenth amendment, which amendment is in the following words: 'For salary of the state geologist for the term of one year from his appointment, eight hundred dollars; for the salary of the topographer to the geological department for the current year, six hundred dollars; for contingent expenses of the geological department for the current year, three hundred dollars.'

Mr. Patterson offered the following substitute for the amendment, which was adopted:

'That the sum of one thousand seven hundred dollars, to be drawn on the warrant of the Governor, is hereby appropriated, or so much thereof as the Governor shall find necessary to continue the geological explorations and surveys, and for completing the geological report, under the joint resolution of the present legislature.'

Mr. Noble moved to strike out the words 'seven hundred,' which motion was lost, and the amendment as amended was concurred in.

Mr. Hand moved to add the following to the bill:

"To S. N. Gantt, for stationery furnished the legislature of 1845, as appears by his account duly vouched on file, forty-two dollars and fifty-four cents,' which motion prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Glen,	Mr. O'Malley,	
A. C. Baldwin,	Graham,	Ord,	
C. Baldwin,	Groves,	Patterson,	
Barbour,	Hand,	Peck,	
Cole,	Leach,	Sanborn,	
Davis,	T. Lewis,	Toll,	
Dunham,	Moran,	Walker,	
Edmunds,	Morse,	Speaker,	24

NAYS.

Mr. Barrett,	Mr Hollister	Mr. Pierce,	
Blair,	Kennedy,	Ransom,	
Brotherson,	McDonald,	Rice,	
Chubb,	Noble	Sprague,	
85			

Cook,	Palmer,	Sweeney,	
Giddings,	Parsons,	Webster	
Hawley,			19

Mr. Sanborn moved to strike out of the bill the following item:

'There shall also be appropriated thirty days extra pay to the members from Mackinaw and Chippewa, being the time they were necessarily detained previous to the meeting of the legislature, on account of the early closing of navigation,' which motion prevailed by yeas and nays as follows:

YEAS.

Mr. Ames,	Mr. Giddings,	Mr. Peck,	
A. C. Baldwin,	Hawley,	Pierce,	
C. Baldwin,	Hollister,	Ransom,	
Barrett,	Kennedy,	Rice,	
Blair,	Leach,	Sanborn,	
Brotherson,	W. Lewis,	Sprague,	
Chubb,	McDonald,	Walker,	
Davis,	Morse,	Webster,	
Edmunds,	Parsons,		26

NAYS.

Mr. Andrews,	Mr. Graham,	Mr. Palmer,	
Barbour,	Groves,	Patterson,	
Cole,	Hand,	Sweeney,	
Cook,	T. Lewis,	Toll,	
Dunham,	Moran,	Speaker,	
Glen,	Noble,		17

Mr. Chubb moved to re-commit the bill to the committee on ways and means, with instructions to restore the printed copy of the second sub-division, which motion was lost, and the bill was ordered to be engrossed for a third reading.

Mr. Brotherson, from the committee on engrossment and enrollment, reported the bill as correctly engrossed.

The rule was suspended, and it was read the third time and passed.

The following bills and joint resolution were read the third time and passed, viz:

A 'bill to amend an act entitled an act to provide for laying out a certain state road and for other purposes, approved March 24, 1845;'

A 'bill for laying out and establishing all state roads heretofore laid out or to be hereafter located within this state;'

A 'bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac railroad, and to provide for the

foreclosure and sale of the mortgage executed by said company to the state;' and,

A 'joint resolution of instructions to the board of internal improvement.'

Mr. Brotherson from the committee on engrossment and enrollment, reported that titles XXV and XXVII of the proposed revision, were correctly enrolled, and were this day presented to the Governor.

Mr. Palmer, from the same committee, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval:

A 'bill to authorize Almira Brokaw to convey certain real estate;'

A 'bill to authorize the township of Pewonagwink to hold a township meeting therein, and for other purposes;' and

A 'bill to incorporate the Flint and Saginaw Navigation Company.

On motion of Rice, the House adjourned.

Thursday, May 14, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Mr. Ten Eyck was absent on leave, and Messrs. Cole, Peck and Thomas were absent without leave.

Mr. Davis asked and obtained leave of absence for Mr. Cole for the remainder of the session.

The journal of yesterday was read and approved.

Mr. Hand, from the committee of conference on the disagreement between the two houses on the 'bill to amend an act entitled an act relative to the city of Detroit,' made the following report:

'The committee recommend that the Senate amendment be amended by substituting therefor the following proviso to the first section, viz: Provided the said common council shall license all persons applying therefor for the purposes mentioned in this act, if they shall be satisfied that such applicant is trustworthy, and may at any time revoke such license for any violation of the provisions thereof.'

The report of the committee was concurred in by a two-thirds vote, as follows:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Ord,	
A. C. Baldwin,	Hawley,	Palmer	
Barbour,	Hazelton,	Parsons,	
Barrett,	Hollister,	Patterson,	
Chubb,	Kennedy,	Ransom,	
Davis,	Leach,	Rice,	
Dunham,	T. Lewis,	Sanborn,	
Edmunds,	W. Lewis,	Scott,	
Giddings,	Moran,	Sprague,	
Glen,	Morse,	Sweeney,	
Graham,	Noble,	Toll,	
Groves,	O'Malley,	Walker,	36

NAYS.

Mr. C. Baldwin,	Mr. Peck,	Mr. Webster,	
Jones,	Pierce,	Wing,	
McDonald,	Wakeman,	Speaker,	9

The following communication was announced:

EXECUTIVE OFFICE,
Detroit, May 13, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, 'an act to amend an act entitled an act relative to common or primary schools.'

Also, a 'joint resolution providing for the payment of stationery furnished the members of the House of Representatives.'

ALPHEUS FELCH.

Mr. Hazleton moved to suspend the rules to enable him to move a reconsideration of the vote by which the 'bill to incorporate the Port Huron and Lake Michigan Railroad Company' was lost on its passage, which motion was lost by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Ames	Mr. Leland,	Mr. Peck,	
A. C. Baldwin,	Leach,	Pierce,	
C. Baldwin,	T. Lewis,	Rice,	
Blair,	W. Lewis.	Sanborn,	
Davis,	Moran,	Scott,	
Edmunds,	Morse,	Walker,	
Hawley,	Noble,	Webster,	
Hazelton,	Ord,	Wing,	
Hollister,	Palmer,	Speaker,	
Jones,			28

NAYS.

Mr. Barbour,	Mr. Graves,	Mr. Patterson,
Barrett,	Hand,	Ransom,
Chubb,	Kennedy,	Sprague,
Cook,	McDonald,	Sweeney,
Giddings,	O'Malley,	Toll,
Glen,	Parsons,	Wakeman,
Graham,		19

On motion of Mr. Noble,

The following bills and joint resolution, together with the amendments made thereto, in committee of the whole, were taken from the table, viz:

The 'bill to provide for organizing an active militia, and for other purposes;'

The 'bill to make the homestead inalienable and to regulate and define the separate interests of married persons;' and,

The 'joint resolution relative to a portion of the public debt.'

On motion of Mr. Barbour,

The 'bill to incorporate the Kalamazoo and Grand Rapids railroad company,' was taken from the table.

UNFINISHED BUSINESS.

The House took up the 'bill to provide for organizing an active militia and for other purposes,' and the question being on concurring in the amendments made in committee of the whole to the bill, they were all concurred in except the first, which was non-concurred in.

On motion of Mr. Toll,

The third line of section two, in chapter fourteen, was amended, by striking out the words 'twenty-five,' before 'cents,' and inserting 'fifty.'

On motion of Mr. Peck,

The following was added to the end of section two, of chapter 12:

'And every judgment rendered for any fine as aforesaid, may be stayed in the same manner as judgments rendered by justices of the peace in civil proceedings; but no execution on any such judgment shall run against the body of any defendant under the age of twenty-one years, nor shall any such defendant be committed to jail by virtue of any execution issued under the provisions of this act, for a longer term than two weeks.'

Mr. Peck moved to amend the eighth line of section two, in chapter twelve, by adding to the end thereof the following words, which motion was lost:

'And no goods and chattels of the defendant, of any description, shall be exempted from any such execution.'

The bill was ordered to a third reading by the following vote:

YEAS.

Mr. Ames,	Mr. Kennedy,	Mr. Peck,	
A. C. Baldwin,	T. Lewis,	Ransom,	
C. Baldwin,	W. Lewis,	Sanborn,	
Barbour,	Moran,	Sprague,	
Dunham,	Morse,	Sweeney,	
Graham,	Noble,	Toll,	
Hawley,	O'Malley,	Wakeman,	
Hollister,	Ord,	Wing,	
Jones,	Patterson,	Speaker,	27

NAYS,

Mr. Blair,	Mr. Groves,	Mr. Parsons,	
Chubb,	Hazleton,	Pierce,	
Cook,	Leland,	Rice,	
Davis,	Leach,	Scott,	
Edmunds,	McDonald,	Walker,	
Giddings,	Palmer,	Webster,	18

The 'bill to provide for organizing an active militia and for other purposes,' was read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Kennedy,	Mr. Peck,	
A. C. Baldwin,	T. Lewis,	Ransom,	
C. Baldwin,	W. Lewis,	Rice,	
Barbour,	Moran,	Sprague,	
Dunham,	Morse,	Sweeney,	
Glen,	Noble,	Toll,	
Graham,	O'Malley,	Wakeman,	
Hawley,	Ord,	Wing,	
Hollister,	Patterson,	Speaker,	
Jones,			28

NAYS.

Mr. Blair,	Mr. Groves,	Mr. Parsons,	
Chubb,	Hazleton,	Pierce,	
Cook,	Leland,	Sanborn,	
Davis,	Leach,	Scott,	
Edmunds,	McDonald,	Walker,	
Giddings,	Palmer,	Webster,	18

The amendments made in committee of the whole to the 'bill to

make the homestead inalienable, and to regulate and define the separate interests of married persons,' were concurred in in gross.

Mr. Hawley moved to amend the bill by striking out all after the enacting clause, except sections seven, eight and nine, which motion was lost.

The question being on ordering the bill to a third reading, it was not ordered by the following vote:

YEAS.

Mr. Cook,	Mr. Moran,	Mr. Sanborn,	
Edmunds,	O'Malley,	Toll,	
Jones,	Palmer,	Wakeman,	
Kennedy,	Ransom,	Webster,	
Leland,	Rice,	Speaker,	
T. Lewis,			16

NAYS.

Mr. Ames,	Mr. Glen,	Mr. Parsons,	
A. C. Baldwin,	Graham,	Patterson,	
C. Baldwin,	Hand,	Peck,	
Barbour,	Hawley,	Pierce,	
Barrett,	Hazelton,	Scott,	
Chubb,	Hollister,	Sprague,	
Davis,	W. Lewis,	Sweeney,	
Dunham,	McDonald,	Walker,	
Giddings,	Noble,	Wing,	27

On motion of Mr. Peck,

The further consideration of the 'joint resolution relative to a portion of the public debt,' was indefinitely postponed.

The House then took up the 'bill to incorporate the Kalamazoo and Grand Rapids Railroad Company,' and the question being on reconsidering the vote by which the House non-concurred in the bill as amended, it was not reconsidered.

The following communication was announced:

SENATE CHAMBER, }
May 14, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill to authorize the draining of Gross Point Marsh, in the township of Hamtramck, in Wayne county,' and to respectfully inform you that the Senate have nonconcurred therein.

Also to return the 'joint resolution relative to adjournment,' and

The 'bill to provide for the public printing and for other purposes,'

which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also to respectfully inform you that the Senate have concurred in the House amendments to the 'bill to provide for the preservation of the Clinton and Kalamazoo Canal,' and have ordered the bill as amended to be enrolled.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of the Senate.

The Senate amendments to the 'joint resolution relative to adjournment,' which amendments strike out the words 'eleventh day of May,' and insert 'eighteenth day of May,' and strikes out 'at twelve o'clock M.,' were severally concurred in.

The Senate amendments to the 'bill to provide for the public printing, and for other purposes,' were non-concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,
A. C. Baldwin,	Groves,	Peck,
Barbour	Hand,	Sprague,
Barrett,	T. Lewis,	Sweeney,
Davis,	Moran,	Toll,
Dunham,	O'Malley,	Walker,
Glen,		19

NAYS.

Mr. C. Baldwin,	Mr. Hollister,	Mr. Parsons,
Blair,	Jones,	Pierce,
Brotherson,	Kennedy,	Ransom,
Chubb,	Leland,	Rice,
Cook,	Leach,	Wakeman,
Edmunds.	W. Lewis,	Webster,
Giddings,	McDonald,	Wing,
Hawley,	Morse,	Speaker,
Hazleton,	Palmer,	26

On motion of Mr. Peck,

Resolved, That when this House adjourn, it will adjourn to meet at half past eight o'clock to-morrow morning.

On motion of Mr. Jones,

Resolved, That the state treasurer be requested to inform this House whether the printing of the revision in bill form was not claimed by

Messrs. Bagg & Harmon, and done under contract made December, 1844, if so, whether the contract for the public printing for the year 1846 will include the printing of the revision in book form.

The House then resolved itself into committee of the whole on the general order, Mr. Patterson in the chair.

After some time spent thereon, the committee rose, and by their chairman reported back with amendments, in which the concurrence of the House was asked, a 'bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand River at the village of Lyons,' and a 'bill supplementary to an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company.'

Also, reported back without amendment, a 'bill to amend chapter one, title two, part first of the revised statutes in relation to the time of holding the general election,' which was ordered to a third reading.

The 'bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand River at the village of Lyons,' being under consideration,

And the question being on concurring in the amendment made in committee of the whole, striking out all after the enacting clause, it was non-concurred in by the following vote:

YEAS.

Mr. Edmunds,	Mr. Sweeney,	Mr. Wakeman,	
Patterson,	Toll,		5

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. O'Malley,	
A. C. Baldwin,	Hand	Palmer,	
C. Baldwin,	Hazleton,	Parsons,	
Barbour,	Hollister,	Peck,	
Barrett,	Jones,	Pierce,	
Blair,	Kennedy,	Ransom,	
Brotherson,	Leland,	Rice,	
Chubb,	Leach,	Sanborn,	
Cook,	T. Lewis,	Scott	
Davis,	W. Lewis,	Sprague,	
Dunham,	McDonald	Walker,	
Giddings,	Moran,	Webster,	
Glen,	Morse,	Speaker,	
Graham,	Noble,		41

The bill was then ordered to be engrossed for a third reading.

The 'bill supplementary to an act entitled an act to authorize the sale of the Southern Railroad and to incorporate the Michigan Southern Railroad Company,' being under consideration,

And the question being on concurring in the amendments made in committee of the whole, the following amendment was first taken up.

Add the following proviso to the first section:

Provided that said board shall give previous public notice for at least six weeks, that sealed proposals will be received for the purchase of said road, and with each bid the persons making the same shall deposite in the state treasury the sum of fifteen thousand dollars, which shall be forfeited in case such bid shall be accepted by said board, and the person making the same shall fail to perfect and perform the contract upon the terms proposed in such bid; and in case the contract shall be perfected and performed, then the sum so deposited shall be deemed to be a part of the purchase money paid in; and the deposit accompanying any bid which shall not be accepted by said board, shall be returned to the persons making such deposit on demand therefor duly made; and said board shall give the preference to the best bid thus made for the purchase of the road; but said road in no case to be sold for a less sum than five hundred thousand dollars.'

Which was concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Parsons	
A. C. Baldwin,	Hand,	Patterson,	
Barrett,	Hazleton,	Peck,	
Blair,	Hollister,	Pierce,	
Brotherson,	Jones,	Ransom,	
Chubb,	Kennedy,	Rice,	
Cook,	Leland,	Sanborn,	
Davis	Leach,	Scott,	
Edmunds,	T. Lewis,	Sweeney,	
Giddings,	M'Donald	Walker	
Glen,	Moran,	Webster,	
Graham,	Morse,	Speaker,	36

NAYS.

Mr. C. Baldwin,	Mr. Noble	Mr. Sprague,	
Barbour,	O'Malley,	Toll,	
Dunham,	Palmer,	Wakeman,	
W. Lewis,			10

The second amendment, which inserts after the word 'thereof,' in the sixth line of section two, the following: 'Except that the company so purchasing shall have the privilege of connecting with any other railroad or railroads at either end of said Southern railroad, or at any intermediate point,' which amendment was concurred in by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hollister,	Mr. Peck,	
Barrett,	Jones,	Pierce,	
Blair,	Leland,	Ransom,	
Brotherson,	Leach,	Rice,	
Chubb	T. Lewis,	Sanborn,	
Edmunds,	McDonald,	Scott,	
Giddings,	Moran,	Walker,	
Hazelton,	Morse,	Webster,	24

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. Parsons,	
C. Baldwin,	Hand,	Patterson,	
Barbour,	Kennedy,	Sprague,	
Cook,	W. Lewis,	Sweeney,	
Davis,	Noble,	Toll,	
Dunham,	O'Malley,	Wakeman,	
Glen	Palmer,	Speaker,	
Graham,			22

The bill was then ordered to be engrossed for a third reading.

Mr. Peck offered the following joint resolution, which was read twice:

Resolved, By the Senate and House of Representatives, That the secretary of state be and he is hereby authorized and instructed to supply M. E. Van Buren, engrossing, enrolling and recording clerk of the House, and A. Treadway, engrossing, enrolling and recording clerk of the Senate, one copy each of the revised statutes, and the journals and documents of the present session of the legislature, as soon as the same may be ready for delivery.

Mr. Davis offered the following as a substitute for the joint resolution, which was adopted:

Resolved, By the Senate and House of Representatives of the state of Michigan, That the officers and members of the present legislature be and they are hereby entitled each to one copy of the revised laws and session laws passed in the year eighteen hundred and forty-six, also to the journals and documents of the legislature of the

same year, and that the secretary of state be and he is hereby required to forward one copy of each to the several officers and members of this legislature, by forwarding the same to the county clerks of the several counties of this state in which the said members and officers reside, so soon as the same be printed and ready for delivery.

The joint resolution was then ordered to be engrossed for a third reading.

Mr. Pierce asked and obtained leave of absence for Mr. Leland for an indefinite time on account of sickness.

The rule was then suspended to enable the following bills to be put upon their passage; and the engrossment having been dispensed with, the following bills and joint resolution were severally read the third time and passed:

A 'bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand river at the village of Lyons;'

A 'bill to amend chapter one, title two, part first of the revised statutes in relation to the time of holding the general election;'

And a 'joint resolution relative to the distribution of the session laws, journals, documents, and revised laws.'

Mr. O'Malley moved to reconsider the vote by which the 'bill supplementary to an act entitled an act to authorize the sale of the Southern Railroad, and to incorporate the Michigan Southern Railroad Company,' was ordered to be engrossed for a third reading, which motion was lost by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Patterson,	
C. Baldwin,	Hand,	Sprague,	
Barbour,	Kennedy,	Sweeney,	
Barrett,	Noble,	Toll,	
Cook,	O'Malley,	Wakeman,	
Glen,	Palmer,	Speaker,	
Graham,	Parsons,		20

NAYS.

Mr. A. C. Baldwin,	Mr. Hollister,	Mr. Peck,	
Blair,	Jones,	Pierce,	
Chubb,	Leland,	Rice,	
Davis,	Leach,	Sanborn,	
Dunham,	T. Lewis,	Scott,	
Edmunds,	W. Lewis,	Walker,	
Giddings,	McDonald,	Webster,	
Hazelton,	Morse,		23

The bill was then read the third time, and the question being on its passage, it was not passed by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. A. C. Baldwin,	Mr. Jones,	Mr. Peck,	
Barrett,	Kennedy,	Pierce,	
Blair,	Leland,	Rice,	
Chubb,	Leach,	Sanborn,	
Edmunds,	T. Lewis	Scott,	
Giddings	M'Donald,	Walker,	
Hazelton,	Morse,	Webster,	
Hollister,			22

NAYS.

Mr. Andrews,	Mr. Groves,	Mr. Parsons,	
Barbour,	Hand,	Patterson,	
Cook,	W. Lewis,	Sprague,	
Davis,	Moran,	Sweeney,	
Dunham,	Noble,	Toll,	
Glen,	O'Malley,	Wakeman,	
Graham,	Palmer,	Speaker,	21

Mr. Brotherson, from the committee on engrossment and enrollment, reported that title XXX of the proposed revision was correctly enrolled, and was this day deposited with the Governor.

On motion of Mr. Barbour, the House adjourned.

Friday, May 15, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. Cole, Cook, Leland, Noble, and Ten Eyck were absent on leave, and Messrs. Brotherson, Hawley, Moran, Ord, Peck and Thomas were absent without leave.

The journal of yesterday was read and approved.

On motion of Mr. Patterson,

Resolved, That as a testimonial of respect and esteem for the late Douglass Houghton, state geologist, the members of this House will attend his funeral this afternoon.

On motion of Mr. Barbour, the 'bill to incorporate the Kalamazoo River railroad company,' was taken from the table.

Mr. Scott, by unanimous consent, introduced a 'bill to amend an act entitled an act to incorporate the Corunna and Northampton Turnpike Company, approved May 4, 1846,' which was read twice, and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the bill as correctly engrossed, the rule was suspended, and the bill read the third time and passed, by a unanimous vote as follows:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Parsons,
Andrews,	Hawley,	Patterson,
A. C. Baldwin,	Hazelton,	Pierce,
C. Baldwin,	Hollister,	Ransom,
Barbour,	Jones,	Rice,
Barrett,	Kennedy,	Sanborn,
Blair,	Leach,	Scott,
Chubb,	T. Lewis,	Sprague,
Davis,	W. Lewis,	Sweeney,
Dunham,	McDonald,	Wakeman,
Edmunds,	Morse,	Walker,
Giddings,	O'Malley,	Webster,
Glen,	Ord,	Wing,
Graham,	Palmer,	Speaker,
Groves,		48

NAYS. 0

The House then took up the 'bill to incorporate the Kalamazoo River railroad company,' and the question being on concurring in the Senate amendments thereto, the first amendment, which is in the following words, was first considered:

'Sec. —. Each stockholder shall be individually liable for the debts and liabilities of said company, but no execution shall issue against the separate property of a stockholder, until the property of the company liable to execution has been exhausted.'

Mr. Walker moved to amend the amendment by striking out all after the word 'company' where it first occurs, and the following is the vote on said motion:

YEAS.

Mr. Ames	Mr. Glen,	Mr. Pierce,
Andrews,	Graham,	Rice,
A. C. Baldwin,	Groves,	Scott,
C. Baldwin,	Hollister,	Sweeney,
Barbour,	Kennedy,	Toll,
Barrett,	T. Lewis,	Wakeman,
Davis,	Ord,	Webster,
Dunham,	Patterson,	23

NAYS.

Mr. Blair,	Mr. Leach,	Mr. Peck,
Chubb,	W. Lewis.	Ransom,
Edmunds,	McDonald,	Sanborn,
Giddings,	Morse,	Sprague,
Hand,	O'Malley,	Walker,
Hawley,	Palmer,	Wing,
Hazelton,	Parsons,	Speaker,
Jones,		22

The Speaker decided the motion to be lost, two thirds not voting in the affirmative, and that on all action on amendments between the two houses on bills creating incorporations, a two thirds vote was necessary.

Mr. Ames appealed from the decision of the Speaker.

Mr. Hand moved to lay the appeal on the table, which motion was lost.

The question then being, shall the decision of the chair stand as the judgment of the House, it was decided in the affirmative by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Pierce,
C. Baldwin,	Hand,	Ransom,
Barbour,	Hawley,	Rice,
Barrett,	Hollister	Sprague,
Blair,	W. Lewis,	Sweeney,
Chubb,	McDonald,	Toll,
Dunham,	O'Malley,	Wing,
Giddings,	Ord,	23

NAYS.

Mr. Ames,	Mr. Leach,	Mr. Patterson,
A. C. Baldwin,	T. Lewis,	Scott,
Davis,	Morse,	Wakeman,
Edmunds,	Palmer,	Walker,
Hazelton,	Parsons,	Webster,
Kennedy,		16

The question then recurring on concurring in the first Senate amendment, it was non-concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Rice,
A. C. Baldwin,	Hawley,	Sprague,
Barbour,	Kennedy,	Toll,
Barrett,	W. Lewis,	Wakeman,
Davis,	O'Malley,	Wing,
Dunham,	Palmer,	Speaker,
Graham,	Patterson,	20

Mr. Scott, by unanimous consent, introduced a 'bill to amend an act entitled an act to incorporate the Corunna and Northampton Turnpike Company, approved May 4, 1846,' which was read twice, and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the bill as correctly engrossed, the rule was suspended, and the bill read the third time and passed, by a unanimous vote as follows:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Parsons,
Andrews,	Hawley,	Patterson,
A. C. Baldwin,	Hazelton,	Pierce,
C. Baldwin,	Hollister,	Ransom,
Barbour,	Jones,	Rice,
Barrett,	Kennedy,	Sanborn,
Blair,	Leach,	Scott,
Chubb,	T. Lewis,	Sprague,
Davis,	W. Lewis,	Sweeney,
Dunham,	McDonald,	Wakeman,
Edmunds,	Morse,	Walker,
Giddings,	O'Malley,	Webster,
Glen,	Ord,	Wing,
Graham,	Palmer,	Speaker,
Groves,		43

NAYS. 0

The House then took up the 'bill to incorporate the Kalamazoo River railroad company,' and the question being on concurring in the Senate amendments thereto, the first amendment, which is in the following words, was first considered:

'Sec. —. Each stockholder shall be individually liable for the debts and liabilities of said company, but no execution shall issue against the separate property of a stockholder, until the property of the company liable to execution has been exhausted.'

Mr. Walker moved to amend the amendment by striking out all after the word 'company' where it first occurs, and the following is the vote on said motion:

YEAS.

Mr. Ames	Mr. Glen,	Mr. Pierce,
Andrews,	Graham,	Rice,
A. C. Baldwin,	Groves,	Scott,
C. Baldwin,	Hollister,	Sweeney,
Barbour,	Kennedy,	Toll,
Barrett,	T. Lewis,	Wakeman,
Davis,	Ord,	Webster,
Dunham,	Patterson,	23

NAYS.

Mr. Blair,	Mr. Leach,	Mr. Peck,	
Chubb,	W. Lewis.	Ransom,	
Edmunds,	McDonald,	Sanborn,	
Giddings,	Morse,	Sprague,	
Hand,	O'Malley,	Walker,	
Hawley,	Palmer,	Wing,	
Hazelton,	Parsons,	Speaker,	
Jones,			22

The Speaker decided the motion to be lost, two thirds not voting in the affirmative, and that on all action on amendments between the two houses on bills creating incorporations, a two thirds vote was necessary.

Mr. Ames appealed from the decision of the Speaker.

Mr. Hand moved to lay the appeal on the table, which motion was lost.

The question then being, shall the decision of the chair stand as the judgment of the House, it was decided in the affirmative by the following vote:

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Pierce,	
C. Baldwin,	Hand,	Ransom,	
Barbour,	Hawley,	Rice,	
Barrett,	Hollister	Sprague,	
Blair,	W. Lewis,	Sweeney,	
Chubb,	McDonald,	Toll,	
Dunham,	O'Malley,	Wing,	
Giddings,	Ord,		23

NAYS.

Mr. Ames,	Mr. Leach,	Mr. Patterson,	
A. C. Baldwin,	T. Lewis,	Scott,	
Davis,	Morse,	Wakeman,	
Edmunds,	Palmer,	Walker,	
Hazelton,	Parsons,	Webster,	
Kennedy,			16

The question then recurring on concurring in the first Senate amendment, it was non-concurred in by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Rice,	
A. C. Baldwin,	Hawley,	Sprague,	
Barbour,	Kennedy,	Toll,	
Barrett,	W. Lewis,	Wakeman,	
Davis,	O'Malley,	Wing,	
Dunham,	Palmer,	Speaker,	
Graham,	Patterson,		20

NAYS.

Mr. Ames,	Mr. Hollister,	Mr. Parsons,
C. Baldwin,	Jones,	Pierce,
Blair,	Leach,	Ransom,
Chubb,	T. Lewis,	Sanborn,
Edmunds,	McDonald,	Scott,
Giddings,	Morse,	Walker,
Hand,	Ord,	Webster,
Hazleton,		22

The second amendment was then taken up, which is in the following words:

'Sec. —. The state reserves the right at any time after twenty years, to take possession of said Railroad, and the property and effects of said company, and convert the same into state property, on payment of the cost of investment, and ten per cent in addition thereto.'

Mr. Walker moved to amend the amendment by striking out the words 'after twenty years,' which motion was lost by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,
Andrews,	Groves,	Rice,
A. C. Baldwin,	Hazleton,	Sanborn,
Barbour,	Hollister,	Toll,
Davis,	T. Lewis,	Walker,
Dunham,	Noble,	Webster,
Edmunds,	O'Malley,	Speaker,
Glen,	Parsons,	23

NAYS,

Mr. C. Baldwin,	Mr. Jones,	Mr. Pierce,
Barrett,	Kennedy,	Ransom,
Blair,	Leach,	Sprague,
Chubb,	W. Lewis,	Sweeney,
Giddings,	Morse,	Wakeman,
Hand,	Ord,	Wing,
Hawley,	Palmer,	20

The second Senate amendment was then non-concurred in by the following vote, two thirds not voting in the affirmative:

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Palmer,
C. Baldwin,	Hazleton,	Parsons,
Barbour,	Hollister,	Sanborn,
Blair,	Jones,	Sprague,

Edmunds,	W. Lewis,	Sweeney,	
Glen,	Moran,	Wakeman,	
Graham,	Morse,	Wing,	
Hand,	O'Malley,		23

NAYS.

Mr. Ames,	Mr. Kennedy,	Mr. Ransom,	
A. C. Baldwin,	Leach,	Rice,	
Barrett,	Noble,	Toll,	
Chubb,	Ord,	Walker,	
Davis,	Patterson,	Webster,	
Giddings,	Pierce,	Speaker,	
Groves,			19

The following communication was announced:

SENATE CHAMBER, }
May 15, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the House amendments to the 'bill for laying out and establishing all state roads heretofore laid out or to be hereafter located within this state,' and have ordered the bill as amended to be enrolled.

Also to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the 'bill to amend an act entitled an act relative to the city of Detroit.

Also to respectfully inform you that the Senate have nonconcurred in the report of the committee of conference upon the 'bill to regulate private associations and partnerships,' and have indefinitely postponed the bill.

Also to return the 'bill to provide for organizing an active militia, and for other purposes,' and to respectfully inform you that the Senate have non-concurred in the House amendments thereto.

Also to transmit a 'bill to provide for the leasing of certain lands,' and a 'bill to provide for the publication of the revised statutes,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The 'bill to amend an act entitled an act relative to the city of Detroit,' was ordered to be enrolled.

The House insisted on their amendments to the 'bill to provide for organizing an active militia, and for other purposes.'

On motion of Mr. Toll, a committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on the above bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee, Messrs. Toll, Peck and Jones.

The 'bill for the leasing of certain lands,' and

The 'bill to provide for the publication of the revised statutes,' were severally read twice, and referred to the committee of the whole.

The House resolved itself into committee of the whole on the general order, Mr. Noble in the chair.

And after some time spent thereon, the committee rose and by their chairman reported back to the House, without amendment,

A 'bill to provide for the leasing of certain lands,'

Also reported back with sundry amendments, in which the concurrence of the House was asked,

A 'bill to provide for the publication of the revised statutes.'

The first named bill being under consideration, it was amended,

On motion of Mr. Hand, by adding thereto the following section:

'Sec. 12. This act shall take effect and be in force from and after its passage.'

The bill was then ordered to be read the third time.

The amendments to the 'bill to provide for the publication of the revised statutes,' were all concurred in, in gross, except the amendment to the fourth section.

Mr. Noble moved to amend the amendment to the fourth section by striking out therefrom the words 'resolve of the convention of the people of this state accepting the terms of admission into the Union,' which motion was lost by the following vote:

YEAS.

Mr. Blair,	Mr. Giddings,	Mr. Pierce,	
Brotherson,	Glen,	Ransom,	
Chubb,	Leach,	Rice,	
Dunham,	Noble,	Sanborn,	
Edmunds,	Parsons,		14

NAYS.

Mr. Ames,	Mr. Hollister,	Mr. Patterson,	
Andrews,	Jones,	Peck,	
A. C. Baldwin,	Kennedy,	Scott,	
C. Baldwin,	T. Lewis,	Sprague,	
Barbour,	W. Lewis,	Sweeney,	
Barrett,	McDonald,	Toll,	
Davis,	Moran,	Wakeman,	
Graham,	Morse,	Walker,	
Groves,	O'Malley,	Webster,	
Hand,	Ord,	Wing,	
Hawley,	Palmer	Speaker,	
Hazelton,			34

On motion of Mr. Ransom,

The words following were added to the third section, viz:

'And each individual making a proposition for the printing, shall accompany his proposal with the quantity of printing paper that he will require to execute said work.'

The bill was then ordered to a third reading.

On motion of Mr. Groves,

The rule was suspended, to enable the following bills to be put upon their passage:

The 'bill to provide for the publication of the revised statutes,' was then read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Peck,	
Andrews,	Kennedy,	Ransom,	
A. C. Baldwin,	T. Lewis,	Scott,	
C. Baldwin,	W. Lewis,	Sprague,	
Barbour,	McDonald,	Sweeney,	
Barrett,	Moran,	Toll,	
Davis,	Morse,	Wakeman,	
Glen,	Noble,	Walker,	
Graham,	O'Malley,	Webster,	
Groves,	Ord,	Wing,	
Hand,	Patterson,	Speaker,	
Hawley,			34

NAYS.

Mr. Blair,	Mr. Giddings,	Mr. Parsons,	
Brotherson,	Hazelton,	Pierce,	
Chubb,	Jones,	Rice,	
Dunham,	Leach,	Sanborn,	
Edmunds,	Palmer,		14

The 'bill to provide for the leasing of certain lands was read the third time and passed.

On motion of Mr. Patterson, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

The following communication was announced;

SENATE CHAMBER,
Detroit, May 15, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the 'joint resolution of instructions to the board of internal improvement,' and to respectfully inform you that the Senate have concurred therein.

Also to return the 'bill relative to the preservation of the records of the legislature,' and to respectfully inform you that the Senate have non-concurred therein.

Also to return the 'bill in regard to the Erie and Kalamazoo Railroad company,' and to respectfully inform you that the Senate have non-concurred in the House amendments thereto.

Respectfully, yours, &c.

JAMES E. PLATT,
Secretary of Senate.

The 'joint resolution of instructions to the board of internal improvement,' was ordered to be enrolled.

On motion of Mr. Walker, the 'bill in regard to the Erie and Kalamazoo Railroad company,' was laid on the table.

On motion of Hand, the House adjourned.

Saturday, May 16, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Inglis.

The roll was called, and Messrs. Cole, Cook, Hand, Leland, Scott and Ten Eyck were absent on leave, and Messrs. Patterson and Thomas were absent without leave.

The following communication was announced:

EXECUTIVE OFFICE,
Detroit, May 15, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, 'an act to incorporate the Flint and Saginaw navigation company;'

Also, 'an act to authorize Almira Brokaw to convey certain real estate;'

Also, 'an act to authorize the township of Pewonagawink to hold a township meeting therein and for other purposes.'

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 15, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'joint resolution relative to the distribution of the session laws, journals, documents, revised statutes, &c.' and to respectfully inform you that the Senate have adopted the same with amendments to the title in which the concurrence of the House is respectfully asked.

Also, to return the 'bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand River at the village of Lyons,' and to respectfully inform you that the Senate have passed the same.

Your ob't serv't,
JAS. E. PLATT,
Sec. Senate.

The 'bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand River, at the village of Lyons,' was ordered to be enrolled.

The Senate amendment to the title of the 'joint resolution relative to the distribution of the session laws, journals, documents, revised statutes, &c.,' was concurred in, and the joint resolution ordered to be enrolled.

Mr. Noble, from the committee on the judiciary, reported back the 'bill to regulate the construction of mill dams and mill races,' and the bill was referred to the committee of the whole.

On motion of Mr. Barbour,

The 'bill in regard to the Erie and Kalamazoo rail road company' was taken from the table.

On motion of Mr. A. C. Baldwin,

The 'bill for the relief of Isaiah J. Hudson' was taken from the table.

On motion of Mr. Patterson,

The rules were suspended to enable him to re-introduce a 'bill relative to the preservation of the records of the legislature,' which was read twice and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the bill as correctly engrossed, the rule was suspended, and the bill was read the third time and passed.

The following communication was received from the state treasurer, which was read and laid on the table:

STATE TREASURER'S OFFICE,
Detroit, May 15, 1846.

Hon. ISAAC E. CRARY, *Speaker of the House of Representatives:*

In compliance with the following resolution passed by the House of Representatives the 14th inst., viz:

Resolved, That the State Treasurer be requested to inform this house whether the printing of the revision in bill form was not claimed by Messrs. Bagg and Harmon, and done under the contract made in December, 1845; if so, whether the contract for the public printing for the year 1846, will include the printing of the revision in book form—

I would state that I am advised that Messrs. Bagg & Harmon have performed the printing of the revision in bill form under the provisions of a contract made by them with the late state treasurer, to do the state printing for the fiscal year 1846. The joint resolution approved January 16th, 1843, under which contracts are made for the state printing, names the kind of printing, and the manner in which it shall be done; and as the revision in book form was not contemplated by the resolution, I am of the opinion that the contract for printing in 1846 will not include the revision in that form.

I send herewith a copy of the contract with Messrs. Bagg & Har-

mon, and the notice given by the late state treasurer in writing, for bids for the state printing in 1846.

Respectfully yours,

GEO. B. COOPER,

State Treasurer.

The House then took up the 'bill in regard to the Erie and Kalamazoo railroad company,' and the question being on receding from the House amendments thereto, the House refused to recede from the first amendment by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Noble,	Mr. Sprague,	
Blair,	Palmer,	Sweeney,	
Brotherson,	Patterson,	Toll,	
Giddings,	Pierce,	Walker,	
Hazelton,	Ransom,	Webster,	
McDonald,	Rice,	Wing,	
Morse,	Sanborn,		21

NAYS.

Mr. Ames,	Mr. Glen	Mr. W. Lewis,	
A. C. Baldwin,	Graham,	Moran,	
Barbour,	Hand,	O'Malley,	
Barrett,	Hawley,	Parsons,	
Chubb	Hollister,	Peck,	
Davis,	Kennedy,	Wakeman,	
Dunham,	Leach,	Speaker,	
Edmunds,	T. Lewis,		23

The House then refused to recede from the remainder of their amendments by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Leach,	Mr. Ransom,	
Blair,	McDonald,	Rice,	
Brotherson,	Noble,	Sanborn,	
Edmunds,	Palmer,	Sprague,	
Giddings,	Patterson,	Sweeney,	
Hazelton,	Pierce,	Webster,	
Jones,			19

NAYS.

Mr. Ames,	Mr. Graham,	Mr. Morse,	
Andrews,	Groves,	O'Malley,	
A. C. Baldwin,	Hand,	Parsons,	
Barbour,	Hawley,	Peck,	
Barrett,	Hollister,	Toll,	
Chubb,	Kennedy,	Wakeman,	
Davis,	T. Lewis,	Walker,	

Dunham,	W. Lewis,	Wing,	
Glen,	Moran,	Speaker,	23

On motion of Mr. Rice,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on said bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee Messrs. Rice, Walker and Noble.

Mr. Groves moved that the further consideration of the 'bill for the relief of Isaiah J. Hudson,' be indefinitely postponed, which motioned prevailed by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. O'Malley,	
Barbour,	Hand,	Parsons	
Blair,	Hawley,	Patterson,	
Chubb,	Kennedy,	Sprague,	
Dunham,	W. Lewis,	Sweeney,	
Giddings,	M'Donald	Toll,	
Glen,	Moran,	Wakeman,	
Graham,	Noble	Speaker,	24

NAYS.

Mr. Ames,	Mr. Jones,	Mr. Ransom,	
A. C. Baldwin,	Leach,	Sanborn,	
C. Baldwin,	T. Lewis,	Scott,	
Barrett,	Morse,	Thomas,	
Brotherson,	Palmer,	Walker	
Davis	Peck,	Webster,	
Edmunds,	Pierce,	Wing,	
Hazleton,			22

The House then resolved itself into committee of the whole on the general order, Mr. Peck in the chair.

When the committee rose, they by their chairman reported back, with an amendment in which the concurrence of the House was asked a 'bill to regulate the construction of mill dams and mill races.'

The amendment, which strikes out the first section of the bill, was concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Parsons,	
Andrews,	Hand,	Peck,	
A. C. Baldwin,	Kennedy,	Pierce,	

C. Baldwin,	Leach,	Rice,	
Barbour,	T. Lewis,	Sprague,	
Barrett,	W. Lewis,	Sweeney,	
Blair,	McDonald,	Thomas,	
Brotherson,	Moran,	Toll,	
Chubb,	Ord,	Walker,	
Giddings,	Morse,	Speaker,	
Graham,	O'Malley,		32

NAYS,

Mr. Davis,	Mr. Noble,	Mr. Sanborn,	
Dunham,	Palmer,	Scott,	
Edmunds,	Patterson,	Wakeman,	
Hawley,	Ransom,	Webster,	
Hazleton,			13

On motion of Mr. Peck,

The further consideration of the bill was indefinitely postponed.

Mr. Edmunds reported title XXXIII of the proposed revision, which was read twice and referred to the committee of the whole.

The House then resolved itself into committee of the whole on title XXXIII of the proposed revision, Mr. Edmunds in the chair.

After some time spent thereon, the committee rose, and by their chairman reported the title back with sundry amendments, in which the concurrence of the House was asked.

The amendments were concurred in, and

On motion of Mr. Peck,

The first section of the title was amended by inserting after the word 'seven' in the second line, the following:

'Except that portion of said act which provides for the election of judges of the county courts, which shall take effect and go into operation from and after its passage; and the judges so elected shall enter into the discharge of their official duties on the said first day of January aforesaid, when this act shall go into effect.'

The title was then ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the title as correctly engrossed, the rule was suspended and the title read the third time.

Mr. Palmer, from the committee on engrossment and enrollment, reported that the following bills and joint resolutions were correctly enrolled, and were this day presented to the Governor for his approval:

A 'bill to amend an act entitled an act relative to the city of Detroit;'

A 'bill to authorize the supervisors of the county of Ionia to build a free bridge across Grand River, at the village of Lyons;'

A 'joint resolution relative to the distribution of the session laws, journals, documents and revised laws;' and

A 'joint resolution of instructions to the board of internal improvement.

Also, reported that titles XXII and XXIII of the proposed revision were correctly enrolled, and were this day deposited with the Governor.

The following communication was announced:

SENATE CHAMBER,
Detroit, May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit the amendments proposed by the joint committee on the proposed revision, which the Senate have adopted and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES E. PLATT,
Secretary of Senate.

The amendments proposed by the joint committee on the proposed revision, being under consideration,

On motion of Mr. Hand, they were amended by adding thereto the following:

Amend title eleven, chapter fifty-eight, section fifty-nine, by adding to the same the following proviso:

'Provided, That the district board shall not in any case build a stone or brick school house, upon any site without having first obtained a title in fee to the same, or a lease for ninety-nine years; and also that they shall not in any case build a frame school house upon any site for which they have not a title in fee or a lease for fifty years without reserving the privilege of removing the said school house when lawfully directed so to do by the qualified voters of the district, at an annual or special meeting.

The amendments as amended were then concurred in by the House.

On motion of Mr. Hand, the House adjourned.

Afternoon Session.

The House met pursuant to adjournment and was called to order by the Speaker.

The following communication was received from the Senate:

SENATE CHAMBER,
Detroit, May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return title XXXIII of the proposed revision, which the Senate have passed to a third reading, and made sundry amendments thereto, in which the concurrence of the House is respectfully asked.

Yours, respectfully,

JAS. E. PLATT,
Sec'y of Senate.

The House concurred in the Senate amendments to title XXXIII and ordered the title as amended to be enrolled.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform you that the Senate have reconsidered the vote by which they indefinitely postponed the 'bill to regulate private associations and partnerships,' have appointed a new committee of conference thereupon, consisting of Senators Littlejohn, Hale and Thurber, and that the appointment of a like committee on the part of the House is respectfully requested.

Also to return the 'bill to amend an act entitled an act to incorporate the Corunna and Northampton turnpike company, approved May 4th, 1846, and to respectfully inform you that the Senate have passed the same.

Also to return the 'bill to incorporate the Kalamazoo river railroad company,' and to respectfully inform you that the Senate have receded from their amendments thereto.

Also to return the 'bill to provide for the publication of the revised statutes,' and to respectfully inform you that the Senate have concurred in all the House amendments thereto with the exception of the second, in which they have non-concurred.

Also to return the 'bill to provide for the public printing, and for

other purposes,' and to respectfully inform you that the Senate have adhered to their amendments thereto.

Also, to respectfully inform you that Senators Howell, Kibbee and Williams, have been appointed a committee of conference upon the 'bill in regard to the Erie and Kalamazoo Railroad company.'

Also, to respectfully inform you that the Senate have concurred in the House amendment to the 'bill to provide for the leasing of certain lands, and have ordered the bill as amended to be enrolled.

Also, to respectfully inform you that Senators Howell, Allen and Denton have been appointed a committee of conference on the part of the Senate on the disagreement between the two houses upon the 'bill to provide for the organization of an active militia and for other purposes.'

Also, to transmit a 'joint resolution relative to certain debts due to this state;' which the Senate have adopted, and

A 'bill to organize the counties of Houghton, Schoolcraft, Ontonagon and Marquette, and for other purposes,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Your ob't serv't,

JAMES E. PLATT,

Secretary of Senate.

On motion of Mr. Hazelton, a committee of conference was ordered to be appointed on the part of the House on the disagreement between the two Houses on the 'bill to regulate private associations and partnerships,' and the Speaker appointed as such committee, Messrs. Hazelton, Peck and Ames.

The House then receded from their second amendment to the 'bill to provide for the publication of the revised statutes,' by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Peck,
Andrews,	Hollister,	Sprague,
C. Baldwin,	Kennedy,	Sweeney,
Barbour,	W. Lewis,	Thomas,
Davis,	Moran,	Toll,
Dunham,	Morse,	Wakeman,
Glen,	Noble,	Walker,
Graham,	Patterson,	Wing,
Groves,		25

NAYS.

Mr. Barrett,	Mr. Hawley,	Mr. Parsons,	
Blair,	Jones,	Pierce,	
Brotherson,	Leach,	Rice,	
Edmunds,	McDonald,	Sanborn,	
Giddings,	Palmer,	Speaker,	15

The 'bill to provide for the publication of the revised statutes,' was then concurrred in by the House.

The House receded from their disagreement to the Senate amendment to the 'bill to provide for the public printing, and for other purposes,' by the following vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Patterson,	
Andrews,	Hawley,	Scott,	
A. C. Baldwin,	Hollister	Sprague,	
C. Baldwin,	Kennedy,	Sweeney,	
Barbour,	T. Lewis,	Thomas,	
Davis,	W. Lewis,	Toll,	
Dunham,	Moran,	Wakeman,	
Glen,	Morse,	Walker,	
Graham,	Noble,	Wing,	
Groves,			28

NAYS.

Mr. Barrett,	Mr. Jones,	Mr. Pierce,	
Blair,	Leach,	Ransom,	
Brotherson,	McDonald,	Rice,	
Edmunds,	Palmer,	Sanborn,	
Giddings,	Parsons,	Speaker,	15

The amendment was then concurred in, and the bill as amended was ordered to be enrolled.

The 'joint resolution relative to certain debts due to this state,' was read twice, and

On motion of Mr. Patterson, laid on the table.

On motion of Mr. Patterson,

The rule was suspended to enable him to introduce a 'joint resolution suspending the tenth joint rule,' which was read twice and ordered to be engrossed for a third reading.

The engrossment was dispensed with, the rule suspended, and the joint resolution read the third time and passed.

The 'bill to organize the counties of Houghton, Schoolcraft, Ontonagon and Marquette, and for other purposes' was read the first time, and

On motion of Mr. Patterson, laid on the table.

On motion of Mr. Brotherson,

The 'joint resolution relative to certain debts due to this state was taken from the table.

On motion of Mr. Hand,

The joint resolution was amended by inserting after the word 'state,' in the eleventh line, the words following: 'Of the descriptions and at the rates mentioned and specified in section four of an act entitled an act to authorize the sale of the Central railroad, and to incorporate the Michigan Central railroad company, and thereby authorized to be paid to the state by said company.'

On motion of Mr. Patterson, the joint resolution was laid on the table.

Mr. Toll, from the committee of conference on the part of the House, on the disagreement between the two houses on the 'bill to provide for the organization of an active militia, and for other purposes,' reported that the committee recommended the House to recede from their seventh amendment to said bill, and insist on the remainder of their amendments thereto.

The report was accepted and concurred in.

The following communication was announced:

SENATE CHAMBER,
May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit to you a 'bill concerning the estate of intestates,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Also, to transmit to you a concurrent joint resolution in relation to the joint rules relative to the revision, which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

JAMES E. PLATT,

Secretary of Senate.

The concurrent joint resolution in relation to the joint rules relative to the revision was read twice, ordered to a third reading, the rule suspended, and the joint resolution was read the third time and passed.

The 'bill concerning the estates of intestates escheated to this state,' was read the first time, and

On motion of Mr. Patterson, laid on the table.

On motion of Mr. Groves, the proposed revision was taken up, and the question being on its passage, it was passed by the following vote:

YEAS.

Mr. Ames	Mr. Hawley,	Mr. Peck,
Andrews,	Hollister,	Scott,
A. C. Baldwin,	Kennedy,	Sprague,
C. Baldwin,	T. Lewis,	Sweeney,
Barbour,	W. Lewis.	Thomas,
Barrett,	Moran,	Toll,
Davis,	Morse,	Wakeman,
Dunham,	Noble	Walker,
Glen,	O'Malley,	Webster,
Graham,	Ord,	Wing,
Groves,	Patterson,	Speaker,
Hand,		34

NAYS.

Mr. Blair,	Mr. Hazelton,	Mr. Parsons,
Brotherson,	Jones,	Pierce,
Chubb,	Leach,	Ransom,
Edmunds,	McDonald,	Rice,
Giddings,	Palmer,	Sanborn, 15

The following communication was received from the Senate:

SENATE CHAMBER, }
Detroit, May 16, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the 'bill to regulate private associations and partnerships,' which is herewith transmitted.

Your obedient servant,

J. E. PLATT,

Sec'y of Senate.

Mr. Hazelton, from the committee of conference on the part of the House on the disagreement between the two houses on the 'bill to regulate private associations and partnerships,' reported that the committee recommend to the House to insist on their amendments to the bill, with an amendment to the first section, restricting the operation of the bill to mining operations.

The report was accepted and concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Hazelton,	Mr. Patterson,
A. C. Baldwin,	Hollister,	Peck,
C. Baldwin,	Jones,	Rice,
Barbour,	W. Lewis,	Sprague,
Barrett,	Moran,	Thomas,
Brotherson,	Morse,	Walker,
Davis,	O'Malley,	Wing,
Hand,	Ord,	Speaker,
Hawley,	Palmer,	26

NAYS.

Mr. Andrews,	Mr. Glen,	Mr. Noble,
Blair,	Graham,	Parsons,
Chubb,	Kennedy,	Pierce,
Dunham,	Leach,	Sweeney,
Edmunds,	McDonald,	Wakeman,
Giddings,		16

The following message was received from the Senate:

SENATE CHAMBER,
Detriot, May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the 'bill in regard to the Erie and Kalamazoo Railroad company,' which, together with the bill is herewith transmitted.

Respectfully, &c.,

J. E. PLATT,
Sec'y of Senate.

Mr. Rice, from the committee of conference on the part of the House on the disagreement between two the houses on the 'bill in regard to the Erie and Kalamazoo Railroad company,' reported that the committee recommend to the House to recede from their fifth and seventh amendments to the bill, and insist on the remainder of their amendments thereto.

The question being on receding from the fifth and seventh amendments, the House refused to recede by the following vote:

YEAS.

Mr. Blair,	Mr. McDonald,	Mr. Rice,
Brotherson,	Noble,	Seaborn,
Chubb,	Palmer,	Sprague,
Edmunds,	Parsons,	Sweeney,
Hazelton,	Patterson,	Toll,
Jones,	Ransom,	Speaker,
W. Lewis,		19

NAYS.

Mr. Ames,	Mr. Graham,	Mr. O'Malley,	
Andrews,	Groves,	Ord,	
A. C. Baldwin,	Hand,	Peck,	
Barrett,	Hollister,	Thomas,	
Davis,	Kennedy,	Wakeman,	
Dunham,	T. Lewis	Walker,	
Glen,	Morse,	Wing,	21

On motion of Mr. O'Malley,

The last vote was reconsidered, and the question recurring on receding, it was lost by yeas and nays as follows, two thirds not voting in the affirmative:

YEAS.

Mr. Blair,	Mr. T. Lewis,	Mr. Rice,	
Brotherson,	M'Donald,	Sanborn,	
Chubb,	Morse,	Sprague,	
Edmunds,	Noble,	Sweeney,	
Giddings,	Palmer,	Toll,	
Hazelton,	Patterson,	Webster,	
Jones,	Pierce,	Speaker,	
Kennedy,	Ransom,		23

NAYS.

Mr. Ames,	Mr. Dunham,	Mr. Parsons,	
Andrews,	Glen,	Peck,	
A. C. Baldwin,	Graham,	Scott,	
C. Baldwin,	Groves,	Thomas,	
Barbour,	Hand,	Wakeman,	
Barrett,	Hollister,	Walker,	
Davis,	O'Malley,	Wing,	21

The following message was received from the Executive:

EXECUTIVE OFFICE,
Detroit, May 16, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, 'an act to authorize the supervisors of the county Ionia to build a free bridge across Grand River at the village of *Lyons.*'

Also an 'act to amend an act entitled an act relative to the city of Detroit.'

Also a 'joint resolution of instructions to the board of internal improvement.'

Also a 'joint resolution relative to the distribution of the session laws, journals, documents and revised laws.'

ALPHEUS FELCH.

Mr. Ord, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled and were this day presented to the Governor for his approval:

A 'bill to amend an act entitled an act to incorporate the Corunna and Northampton turnpike company, approved May 4, 1846;' and

A 'bill to provide for the public printing and for other purposes.'

On motion of Mr. Patterson,

The House took a recess until half past six o'clock this evening.

Half past six o'clock P. M.

The House met, and was called to order by the Speaker.

The following messages were received from the Senate:

SENATE CHAMBER, }
May 16, 1846. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the 'bill in regard to the Erie and Kalamazoo Railroad Company.'

Also to return a 'joint resolution suspending the tenth joint rule,' and to respectfully inform you that the Senate have non-concurred therein.

Also to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the 'bill to provide for organizing an active militia, and for other purposes,' and have ordered the bill as amended to be enrolled.

Respectfully, &c.,

J. E. PLATT,
Secretary of Senate.

SENATE CHAMBER, }
May 16, 1846. }

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to return the 'bill to provide for the adjustment of the mortgage held by the state upon the Detroit and Pontiac Railroad,' and to respectfully inform you that the Senate have concurred in the House amendment with an amendment, in which the concurrence of the House is respectfully asked.

Respectfully, &c.,

J. E. PLATT,
Sec'y Senate.

The question being on concurring in the Senate amendment to the House amendment to the 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac Railroad,' it was non-concurred in by the following vote:

YEAS.

Mr. Ames,

NAYS.

Mr. Andrews,	Mr. Hawley,	Mr. Patterson,
A. C. Baldwin,	Hazleton,	Peck,
C. Baldwin,	Hollister,	Pierce,
Barbour,	Jones,	Ransom,
Barrett,	Kennedy,	Rice,
Blair,	T. Lewis,	Sanborn,
Brotherson,	W. Lewis,	Sprague,
Chubb,	McDonald	Sweeney,
Davis,	Morse,	Toll,
Edmunds,	Noble,	Wakeman,
Giddings,	O'Malley,	Walker.
Glen,	Ord,	Webster,
Graham,	Palmer,	Wing,
Groves,	Parsons,	Speaker,
Hand,		43

On motion of Mr. A. C. Baldwin,

A committee of conference was ordered to be appointed on the part of the House on the disagreement between t he two Houses on the above bill, and the appointment of a like committee asked on the part of the Senate.

The Speaker appointed as such committee Messrs. A. C. Baldwin, Noble and Blair.

On motion of Mr. Walker, the House took a recess till eight o'clock this evening.

Eight o' clock P. M.

The House met and was called to order by the Speaker.

The following messages were received from the Senate:

SENATE CHAMBER,
Detroit, May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill for revising and consolidating the general statutes of the state of Michigan,' and to respectfully inform you that the Senate have passed the same.

Your obedient servant,

JAMES E. PLATT,
Sec'y of Senate.

SENATE CHAMBER,
Detroit, May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a concurrent resolution suspending the tenth joint rule, which the Senate have adopted, and in which the concurrence of the House is respectfully asked.

Your obedient servant,
JAMES E. PLATT,
Sec'y of Senate.

The concurrent resolution suspending the tenth joint rule was read twice, ordered to be read a third time, the rule suspended, and it was read the third time and passed.

On motion of Mr. Patterson,

The following bills and joint resolution were taken from the table:

A 'bill to organize the counties of Houghton, Schoolcraft, Ontonagon and Marquette, and for other purposes;'

A 'bill concerning the estates of intestates escheated to this state;'

And a 'joint resolution relative to certain debts due to this state.'

The last named joint resolution was ordered to be read the third time.

The 'bill concerning the estates of intestates escheated to this state was read the second time and ordered to a third reading.

The 'bill to organize the counties of Houghton, Schoolcraft, Ontonagon and Marquette and for other purposes,' was read the second time and referred to the committee on the judiciary.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 16, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill making appropriations to defray certain expenses authorized for the year 1846' which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also to return the 'bill to provide for paying the salaries of state officers for the year 1846,' and to respectfully inform you that the Senate have passed the same.

Your obedient servant,
JAMES E. PLATT,
Sec'y of Senate.

The 'bill to provide for paying the salaries of state officers for the year 1846,' was ordered to be enrolled.

The House then took up the 'bill making appropriations to defray certain expenses authorized for the year 1846,' and the question being on concurring in the Senate amendments thereto, the first amendment was concurred in, and the second amendment, which is in the following words, viz; 'There shall be appropriated thirty days' extra pay to the members from Mackinac and Chippewa, being the time that they were necessarily detained previous to the meeting of this legislature, on account of the early closing of navigation,' was non-concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Graham,	Mr. Noble,	
Andrews,	Groves,	Palmer,	
Barbour,	Hand,	Patterson,	
Davis,	Hollister,	Sprague,	
Dunham,	Jones,	Toll,	
Glen,	T. Lewis,	Speaker,	18

NAYS.

Mr. A. C. Baldwin,	Mr. Hazleton,	Mr. Rice,	
C. Baldwin,	Kennedy,	Sanborn,	
Barrett,	W. Lewis,	Scott,	
Blair,	McDonald,	Sweeney,	
Brotherson,	Morse,	Wakeman,	
Chubb,	Peck,	Walker,	
Edmunds,	Pierce,	Webster,	
Giddings,	Ransom,	Wing,	
Hawley,			25

On motion of Mr. Walker the appropriation to McKenzie & Herrick, for one map, was amended by inserting the word 'Senate' before 'committee.'

The appropriation to S. M. Green, commissioner of revision, being under consideration,

Mr. Brotherson moved to strike out 'twenty-five hundred' and insert 'one thousand,' and a division of the question being called for, it was first taken on striking out, and carried by the following vote:

YEAS.

Mr. Andrews,	Mr. Groves,	Mr. Patterson,
C. Baldwin,	Hand,	Peck,
Barbour,	Hawley,	Pierce,
Barrett,	Hazleton,	Ransom,
Blair,	Hollister,	Sanborn,
Brotherson,	Jones,	Scott,

Chubb,	Kennedy,	Sprague,	
Davis,	T. Lewis,	Thomas,	
Dunham,	W. Lewis,	Wakeman,	
Edmunds,	McDonald,	Walker,	
Giddings,	Morse,	Webster,	
Glen,	Noble,	Wing,	
Graham,	Palmer,	Speaker,	39

NAYS.

Mr. Ames,	Mr. O'Malley,	Mr. Sweeney,	
A. C. Baldwin,	Ord,	Toll,	6

The question then recurring on the motion to insert 'one thousand,' it was lost by the following vote:

YEAS.

Mr. Barrett,	Mr. Giddings,	Mr. Palmer,	
Blair,	Hawley,	Pierce,	
Brotherson,	Kennedy,	Ransom,	
Chubb,	McDonald,	Sanborn,	
Edmunds,	Morse,	Webster,	15

NAYS.

Mr. Ames,	Mr. Groves,	Mr. Scott,	
Andrews,	Hand,	Sprague,	
A. C. Baldwin,	Hollister,	Sweeney,	
C Baldwin,	W. Lewis,	Thomas,	
Barbour,	Noble,	Toll,	
Davis,	O'Malley,	Wakeman,	
Dunham,	Ord,	Walker,	
Glen,	Patterson,	Wing,	
Graham,	Peck,	Speaker,	27

Mr. Noble moved to insert 'two thousand,' which motion was lost by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Peck,	
Andrews,	Hand,	Sprague,	
A. C. Baldwin,	Hollister,	Sweeney,	
Barbour,	T. Lewis,	Thomas,	
Davis,	Noble,	Toll,	
Dunham,	O'Malley,	Walker,	
Glen,	Ord,	Speaker,	
Graham,	Patterson,		23

NAYS.

Mr. C. Baldwin,	Mr. Hazelton,	Ransom,	
Barrett,	Jones,	Rice,	
Blair,	Kennedy,	Sanborn,	
Brotherson,	W. Lewis,	Scott,	
Chubb,	McDonald,	Wakeman,	
Edmunds,	Morse,	Webster,	
Giddings	Palmer,	Wing,	
Hawley,	Pierce,		23

Mr. Hawley moved to insert 'sixteen hundred,' which motion was lost.

Mr. Hazelton moved to insert 'fifteen hundred,' which motion prevailed by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Jones,	Mr. Ransom,	
Barrett,	Kennedy,	Rice,	
Blair,	T. Lewis,	Sanborn,	
Brotherson,	W. Lewis,	Scott,	
Chubb,	McDonald,	Sprague,	
Edmunds,	Morse,	Wakeman,	
Giddings,	Noble,	Webster,	
Hawley,	Palmer,	Wing,	
Hazelton,	Pierce,		26

NAYS.

Mr. Ames,	Mr. Graham,	Mr. Peck,	
Andrews,	Groves,	Sweeney,	
A. C. Baldwin,	Hand,	Thomas,	
Barbour,	Hollister,	Toll,	
Davis,	O'Malley,	Walker,	
Dunham,	Ord,	Speaker,	
Glen,	Patterson,		20

Mr. Noble moved to reconsider the last vote, which motion prevailed by the following vote:

YEAS.

Mr. Ames,	Mr. Groves,	Mr. Peck,	
Andrews,	Hand,	Scott,	
A. C. Baldwin,	Hollister,	Sweeney,	
Barbour,	T. Lewis,	Thomas,	
Davis,	Noble,	Toll,	
Dunham,	O'Malley,	Wakeman,	
Glen,	Ord,	Walker,	
Graham,	Patterson,	Speaker,	24

NAYS.

Mr. C. Baldwin,	Mr. Hazelton,	Mr. Pierce,	
Barrett,	Jones,	Ransom,	
Blair,	Kennedy,	Rice,	
Brotherson,	W. Lewis,	Sanborn,	
Chubb,	McDonald,	Sprague,	
Edmunds,	Morse,	Webster,	
Giddings,	Palmer,	Wing,	
Hawley,			21

The question then recurring on inserting 'fifteen hundred,' it prevailed by the following vote:

YEAS.

Mr. C. Baldwin,	Mr. Hazleton,	Mr. Ransom,	
Barrett,	Jones,	Rice,	
Blair,	Kennedy,	Sanborn,	

Brotherson,	T. Lewis,	Sprague,	
Chubb,	W. Lewis,	Wakeman,	
Edmunds,	McDonald,	Webster,	
Giddings,	Palmer,	Wing,	
Hawley,	Pierce,		23

NAYS.

Mr. Ames,	Mr. Graham,	Mr. Patterson,	
Andrews,	Groves,	Peck,	
A. C. Baldwin,	Hand,	Sweeney,	
Barbour,	Hollister,	Thomas,	
Davis,	Noble,	Toll,	
Dunham,	O'Malley,	Walker,	
Glen,	Ord,	Speaker,	21

Mr. C. Baldwinmoved to strike out the words 'to the fire department of the city of Detroit, the sum of fifty dollars,' which motion prevailed.

The following clause being under consideration, viz, 'to A. Treadway, enrolling, engrossing and recording clerk of the Senate, and to M. E. Van Buren, enrolling, engrossing and recording clerk of the House, for making a fair journal of the Senate and House of Representatives respectively, during the present session of the legislature, to be deposited in the office of the secretary of state, the *sum* of five cents per folio, to be paid on the certificate of the secretary of state, that the work is performed:'

On motion of Mr. C. Baldwin, the word 'five' before 'cents' was stricken out, and 'four' inserted;

Mr. Patterson moved to strike out the entire clause, which motion prevailed by yeas and nays as follows—

YEAS.

Mr. Andrews,	Mr. Hawley,	Mr. Rice,	
C. Baldwin,	Hazelton,	Sanborn,	
Barbour,	Jones,	Scott,	
Barrett,	Kennedy,	Sprague,	
Blair,	McDonald,	Sweeney,	
Chubb,	Morse,	Wakeman,	
Dunham,	Patterson,	Walker,	
Edmunds,	Pierce,	Webster,	
Giddings,	Ransom,	Speaker,	
Hand,			28

NAYS.

Mr. Glen,	Mr. T. Lewis,	Mr. Ord,	
Graham,	W. Lewis,	Peck,	
Groves,	Noble,	Toll,	
Hollister,	O'Malley,	Wing,	12

Mr. Hand moved to reconsider the last vote, which motion was lost.

On motion of Mr. Edmunds, the words 'to Theodore P. Robinson, messenger of the senate, for extra services, fifteen dollars,' were stricken out.

Mr. Noble moved to strike out the following clause, viz—'there is hereby appropriated two hundred and fifty dollars, to be expended under the direction of the Governor in erecting a suitable monument on the shore of Lake Superior, to the memory of Dr. Douglass Houghton, late geologist of Michigan.'

Which motion to strike out was lost by the following vote—

YEAS.

Mr. Andrews,	Mr. Graham,	Mr. Rice,	
A. C. Baldwin,	Hawley	Sanborn,	
C. Baldwin,	Kennedy,	Scott,	
Barbour,	T. Lewis,	Walker,	
Barrett,	W. Lewis,	Webster,	
Chubb,	Noble,	Wing,	
Davis,	Ransom,		20

NAYS.

Mr. Blair,	Mr. Hazelton,	Mr. Peck,	
Brotherson,	Hollister,	Pierce,	
Edmunds,	Jones,	Sprague,	
Giddings,	McDonald,	Sweeney,	
Glen,	Morse,	Toll,	
Groves,	Palmer,	Wakeman	
Hand,	Patterson,	Speaker,	21

Mr. Patterson moved to reconsider the last vote, which motion did not prevail.

On motion of Mr. Brotherson, the following clause was stricken out, viz—'To D. C. McKinstry, sergeant-at-arms of the Senate, five dollars, for furnishing himself stationery during the present session of the legislature.'

On motion of Mr. Barbour, the words 'and fifty,' before 'dollars,' were stricken out of the appropriation to the quartermaster general.

On motion of Mr. Noble, the following words, 'and also eighty dollars for the general use of the senate during the present session,' were stricken out of the appropriation to G. F. Rood & Co. for stationery.

On motion of Mr. Dunham, the senate amendments were further amended by adding thereto the following—

'To G. F. Rood & Co, for stationery furnished M. E. Van Buren,

enrolling, engrossing and recording clerk of the house, five dollars and thirty-eight cents.'

On motion of Mr. Peck, the following was added to the senate amendments, viz—

'To W. R. Noys, Jr., for a tin box furnished the senate of 1846, two dollars and twentw-five cents.'

Mr. Davis moved to amend by adding the following—

'To David H. Williams, for coming to Detroit, and services as clerk pro tempore of the house at the commencement of the present session, thirty dollars.'

On motion of Mr. Rice,

The amendment was amended by striking out the word 'thirty' before 'dollars,' and inserting 'ten,' and the amendment as amended was then adopted.

The Senate amendments to the 'bill making appropriations to defray certain expenses authorized for the year 1846' were then concurred in by the House as amended.

Mr. Noble, from the committee on the judiciary, by unanimous consent, reported back without amendment, the 'bill to organize the counties of Houghton, Schoolcraft, Ontonagon and Marquette and for other purposes,' and the bill was ordered to a third reading.

On motion of Mr- Groves,

The rule was suspended, and the following bills and joint resolution were severally read the third time and passed, viz ;

A 'bill to organize the counties of Houghton. Schoolcraft, Ontonagon and Marquette, and for other purposes;'

A 'bill concerning the estates of intestates, escheated to this state;'

And a 'joint resolution relative to certain debts due to this state.'

On motion of Mr. Groves, the House adjourned.

Monday, May 18, 1846.

The House met pursuant to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Stillman.

The roll was called, and Messrs. Blair, Cole, Cook, Leland, McDonald and Ten Eyck were absent on leave, and Messrs. Ames,

Groves, Leach, Pierce, Sprague and Thomas were absent without leave.

Mr. Ord, from the committee on engrossment and enrollment, reported that the following bills were correctly enrolled, and were this day presented to the Governor for his approval, viz :

A 'bill to incorporate the Kalamazoo river rail road company,' and

A 'bill to provide for paying state officers for the year 1846.'

Also, reported that title XXXIII of the proposed revision was correctly enrolled, and was this day deposited with the Governor.

The Speaker announced the following communication, which was read and ordered to be entered on the journal :

Hon. ISAAC E. CRARY, *Speaker of the House of Representatives:*

We take pleasure, as the Chaplains of this House, through you, to make our acknowledgments to the members of this assembly, for the respect and kindness which they have shown to us, in the pleasant and important relation we have sustained to them during the session, which will this day probably be brought to a close.

J. S. HARRISON.
DAVID INGLIS.

Detroit, May 18, 1846.

Mr. Hazleton, by unanimous consent, introduced a joint resolution of instructions to the Adjutant General, which was read twice and ordered to be engrossed for a third reading.

Mr. Ord, from the committee on engrossment and enrollment, reported the joint resolution as correctly engrossed.

The rule was suspended, and it was read the third time and passed.

Mr. Webster offered the following resolution, which was unanimously adopted :

Resolved, That the thanks of this House be presented to the Rev. James S. Harrison and Rev. David Inglis, for the fidelity with which their duties as Chaplains to the House of Representatives have been discharged, and for the courteous, gentlemanly and christian deportment which has marked their intercourse with its members.

Mr. Walker moved to suspend the rules of the House so that the vote by which the 'bill to incorporate the Port Huron and Lake Michigan rail-road company,' was lost; pending which,

On motion of Mr. Davis,

A call of the House was ordered, and Messrs. C. Baldwin, Groves, Hawley and Wing, were absent without leave.

Mr. Hollister asked and obtained leave of absence for Mr. Groves for the remainder of the session.

On motion of Mr. Hazelton.

The sergeant-at-arms was despatched after the absentees.

The absentees having returned,

On motion of Mr. Hazelton, all further proceedings under the call were dispensed with.

The question then recurring on suspending the rule, it was not suspended by the following vote, two-thirds not voting in the affirmative:

YEAS.

Mr. Ames,	Mr. T. Lewis,	Mr. Rice,	
A. C. Baldwin,	W. Lewis,	Sanborn,	
Brotherson,	Moran,	Scott,	
Davis,	Morse,	Thomas,	
Edmunds,	Noble,	Walker,	
Hazelton,	Palmer,	Webster,	
Hollister,	Peck,	Wing,	
Jones,	Pierce,	Speaker,	
Leach,			25

NAYS.

Mr. Andrews,	Mr. Glen,	Mr. Parsons,	
C. Baldwin,	Graham,	Patterson,	
Barbour,	Hand,	Ransom,	
Barrett,	Hawley,	Sprague,	
Chubb,	Kennedy,	Sweeney,	
Dunham,	O'Malley,	Toll,	
Giddings,	Ord,	Wakeman,	21

The Speaker appointed Mr, Hand on the committee of conference in place of Mr. Blair who was absent, on the disagreement between the two houses on the 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac railroad.'

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 18, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'general appropriation bill, and respectfully inform you that the Senate have receded from their amendment appropriating thirty days' extra pay to the members from Chippewa and Mackinaw.

That they have concurred in the House amendment to the appropriation to McKenzie & Herrick; that they insist upon their amendments making appropriations to the fire department of the city of Detroit; for the recording of the journals of the two houses; to T. P. Robinson for extra services, and to D. C. McKinstry; that they have non-concurred in the House amendments to the appropriations to Ezra Williams, G. F. Rood & Co., and S. M. Green: that they have concurred in the 10th House amendment to the Senate amendments; that Senators Littlejohn, Maynard and Fenton have been appointed a committee of conference on the part of the Senate, on the disagreement between the two houses upon said bill, and that the appointment of a like committee on the part of the House is respectfully requested.

Your ob't serv't,
JAS. E. PLATT,
Sec. Senate.

The House insisted on their third, fourth, fifth, sixth, seventh, eighth and ninth amendments to the Senate amendments to the 'bill making appropriations to defray certain expenses authorized for the year 1846.'

On motion of Mr. Patterson, a committee of conference was ordered to be appointed on the part of the House, on the disagreement between the two Houses on the amendments to said bill.

And the Speaker appointed as such committee, Messrs. Patterson, C. Baldwin and Brotherson.

The following communication was announced:

SENATE CHAMBER,
Detroit, May 18, 1846.

To the Speaker of the House of Representatives:

SIR—I am instructed by the Senate to respectfully inform you that the Senate have concurred in the House amendment to the 'joint resolution relative to certain debts due to this state,' and have ordered the same as amended to be enrolled.

Also to respectfully inform you that the Senate insist upon their amendment to the House amendments to the 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac railroad,' and that Senators Green, Thurber and Robinson have

been appointed a committee of conference on the part of the Senate upon the disagreement between the two houses upon said bill.

Also to respectfully inform you that Senators Kibbee, Robinson, and Howell have been appointed a new committee of conference upon the 'bill in regard to the Erie and Kalamazoo railroad company,' and that the appointment of a like committee on the part of the House is respectfully asked.

Respectfully, yours, &c.

JAMES E. PLATT,
Secretary of Senate.

On motion of Mr. Barbour,

A new committee of conference was ordered to be appointed on the disagreement between the two houses on the 'bill in regard to the Erie and Kalamazoo railroad company.'

And the Speaker appointed as such committee, Messrs. Walker, Hand and Hazelton.

After a short time, Mr. Walker from the above committee reported that the committee agreed unanimously to recommend the Senate to concur in the House amendments to the above bill.

Mr. A. C. Baldwin from the committee of conference on the disagreement between the two houses on the 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac railroad,' reported that the committee had been unable to agree, and asked to be discharged.

The report was accepted and the committee discharged.

On motion of Mr. Barbour,

A new committee of conference was ordered to be appointed on the disagreement between the two houses on the above bill, and a like committee asked on the part of the Senate.

The Speaker appointed as such committee Messrs. Barbour, A. C. Baldwin and Pierce.

The following com munication was announced:

SENATE CHAMBER,
Detroit, May 18, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to transmit a 'bill relative

to the public defence,' which the Senate have passed, and in which the concurrence of the House is respectfully asked.

Very respectfully,

JAMES E. PLATT,

Secretary of Senate.

The 'bill relative to the public defence,' was read twice and ordered to a third reading.

The rule was suspended, the bill read the third time and passed by the following vote:

YEAS.

Mr. Ames,	Mr. Hazelton,	Mr. Pierce,	
Andrews,	Hollister,	Ransom,	
A. C. Baldwin,	Jones,	Rice,	
C. Baldwin,	Kennedy,	Sanborn,	
Barbour,	Leach,	Scott,	
Barrett,	T. Lewis,	Sprague,	
Brotherson,	W. Lewis,	Sweeney,	
Davis,	Moran,	Thomas,	
Dunham,	Morse,	Toll,	
Edmunds,	Noble,	Wakeman,	
Giddings,	O'Malley,	Walker,	
Glen,	Ord,	Webster,	
Graham,	Palmer,	Wing,	
Hand,	Patterson,	Speaker,	
Hawley,	Peck,		44

NAYS.

Mr. Chubb,	Mr. Parsons,	2

Afternoon Session.

The House met pursuant to adjournment, and was called to order by the Speaker.

Mr. Patterson, from the committee of conference on the disagreement between the two Houses on the 'bill making appropriations to defray certain expenses authorized for the year 1846, made the following report:

That the House recede from their third amendmont striking out the appropriation for the fire department of the city of Detroit;

That the House recede from their fourth amendmen relative to recording journals, and that the same be adopted with an amendment, striking out five cents and inserting four cents, provided the Senate pass the House bill relative to the preservation of the records of the legislature, striking out the provisions relative to journals;

That the House recede from their fifth amendment, and that the Senate concur in the sixth House amendment;

That the Senate concur in the seventh House amendment;

That the House recede from their eighth amendment;

That the Senate concur in the ninth House amendment with an amendment striking out one and inserting two, and that five hundred be stricken out of the Senate amendment, leaving the sum to stand two thousand.

The committee also recommend that the appropriation of two hundred and fifty dollars for a monument on Lake Superior, to the memory of the late Dr. Houghton be stricken out, as the appropriation is too small for that object, and the finances of the state will not admit of an appropriation, at this time, of sufficient amount to erect such a monument as would accord with our high appreciation of his services to the state.

Mr. Walker moved that the report be concurred in in gross.

A member having called for a division,

The Speaker decided the motion to concur in gross to be out of order, under the former practice of the House.

Mr. Walker appealed from the decision,

And the question being, shall the decision of the chair stand as the judgment of the House, it was decided in the negative by the following vote:

YEAS.

Mr. Barrett,	Mr. Hawley,	Mr. Pierce,	
Brotherson,	Jones,	Ransom,	
Chubb,	Leach,	Rice,	
Edmunds,	Palmer	Sanborn,	
Giddings,	Parsons,	Toll,	15

NAYS.

Mr. Ames,	Mr. Hazelton,	Mr. Patterson,	
Andrews,	Hollister,	Peck,	
A. C. Baldwin,	T. Lewis,	Sprague,	
C. Baldwin,	W. Lewis,	Sweeney,	
Barbour,	Moran,	Thomas,	
Davis,	Morse,	Wakeman,	
Dunham,	Noble,	Walker,	
Glen,	O'Malley,	Webster,	
Graham,	Ord,	Wing,	
Hand,			28

The decision of the chair having been reversed, the question re-

curred on the motion to concur in the report of the committee of concurence, it was concurred in by the following vote:

YEAS.

Mr. Ames,	Mr. Hollister,	Mr. Peck,	
Andrews,	T. Lewis,	Sprague,	
A. C. Baldwin,	W. Lewis,	Sweeney,	
C. Baldwin,	Moran,	Thomas,	
Barbour,	Morse,	Toll,	
Davis	Noble	Wakeman,	
Dunham,	O'Malley,	Walker	
Glen,	Ord,	Wing,	
Graham,	Patterson,	Speaker,	
Hand,			28

NAYS.

Mr. Barrett,	Mr. Hazleton,	Mr. Pierce,	
Brotherson,	Jones,	Ransom,	
Chubb,	Kennedy,	Rice,	
Edmunds,	Leach,	Sanborn,	
Giddings,	Palmer,	Scott,	
Hawley,	Parsons	Webster,	18

Mr, A. C.Baldwin moved that the House substitute for the 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac railroad,' be printed in the journals of the House.

Mr. Brotherson moved to amend the motion by adding 'and all the laws passed by the legislature since 1838, on the subject of the Detroit and Pontiac railroad,' which motion was lost.

And the question recurring on the motion to print the following bill in the journal, it prevailed.

House substitute for the Senate 'bill to provide for an adjustment of the mortgage held by the state upon the Detroit and Pontiac railroad.

Section 1. Be it enacted by the Senate and House of Representatives of the state of Michigan, In case the mortgage heretofore executed by the Detroit and Pontiac rail road company to the state of Michigan, upon the rail road and its appurtenances, rights privileges and franchises of said company, shall not be fully paid and satisfied, on or before the eleventh day of August next, it shall be the duty of the Governor to cause the necessary legal or equitable proceedings to be instituted, to foreclose said mortgage, and to be prosecuted as soon as practicable to a final sale of the property, rights and franchises in said mortgage contained; and for that purpose the Governor is authorized to employ such counsellor or counsellors at law

as he shall deem proper to associate with the attorney general in said matter.

Sec. 2. The treasurer of this state be and he is hereby authorized in case of a sale of the Pontiac rail road and its appurtenances, by virtue of this act and the act to which this act is amendatory, and of the mortgage upon said railroad given in pursuance thereof—to take and receive from any person or persons who at such sale may become the purchasers thereof, any of the evidences of state indebtedness, mentioned in, and at the rates prescribed in section four, of 'an act to provide for the sale of the Central railroad, and to incorporate the Michigan Central rail road company,' approved March, 1846; and if the sale be upon foreclosure of the mortgage, the state treasurer, at the time of the sale shall publicly announce how much of the purchase money may be paid in evidences of state indebtedness, of the description and manner aforesaid.

Sec. 3. That the officer making such sale under this act, shall give a certificate, stating therein the time and place of such sale, the name of the purchaser, the amount for which the same is sold, and a description of the lands, tenements, Railroad and its appurtenances, privileges, rights and franchises sold; and also an abstract of the proceedings in such sale, and of the notices given, and shall sign the the same in duplicate, one of which shall be delivered to the purchaser, and the other shall be filed in the office of the secretary of state, and such certificate shall be recorded by the secretary of state; and such certificate or a certified copy thereof shall be evidence of such sale, and of the proceedings touching the same in all courts of this state. Upon such sale, if the state become the purchaser, the state may immediately thereafter take possession of the said Railroad and its appurtenances, privileges and franchises, and the state treasurer immediately after such sale, shall certify to the fact of such purchase by the state, and upon such certificate any justice of the supreme court may make an order that any writ or writs of execution shall issue from the supreme court in which the state shall be named as plaintiff, and said Detroit and Pontiac Railroad company as defendant, and which writ or writs may be directed to any sheriff or sheriffs, coroner or coroners, within this state; and the said certificate with said order endorsed being filed in the office of the clerk of the supreme court in any circuit, the said order shall have the effect of a

judgment of said court, and thereupon one or more writs of habere facias possessionem or other writs of execution may be issued under the direction of the attorney general into any county or counties of this state, and may be made returnable into said court in the discretion of the attorney general either in term time or vacation; and alias and pluries writs may be issued.

And it shall be competent for the supreme court or any justice thereof upon application of the attorney general, to prescribe the forms and contents of any such writ or writs to be issued under this section; and any writ of habere facias possessionem to be issued under this section may command the sheriff or coroner to whom the same may be directed, that he cause the state to have possession of the said Railroad, and its appurtenances, and in, to, and of, all and singular, the rights, privileges and franchises vested in said company, and of the respective appurtenances thereunto belonging, including all lands, tenements, depots, car-houses, machine shops and other structures and edifices connected with said Railroad; or any portion or portions of the same, and all stock of such road, or any portion thereof, including cars, locomotives and tenders, and the furniture of said road, or any portion thereof; and the supreme court, upon application of the state by the attorney general, may make any rule or rules, order or orders which it may deem expedient the better to carry out and give effect to the intent of this section.

Sec. 4. Any person or persons who may become purchasers at such sale, on making payment as above provided, of the amount by them bid, may thereupon proceed to elect or appoint a board of directors for the management of said Railroad, and shall thereupon take, have, and may exercise all the rights, privileges and franchises conveyed in and by said mortgage.

Sec. 5. The amount for which the state shall bid at any such sale may be determined by the board of internal improvement, as they shall deem best for the interests of the state.

Sec. 6. It shall be competent for any person or persons on or upon the tenth day of November next, to purchase of and from the state, said mortgage, by paying to the state in the evidences of state indebtedness mentioned in the second section of this act, the amount of principal and interest due and to come due on said mortgage, and one thousand dollars in addition thereto, up to said last mentioned date, and

on such payment being made into the state treasury, the auditor general is hereby authorized to assign, transfer and set over under his hand and seal, to such person or persons as shall make such purchase, the said mortgage, and all the rights, title and interest of the state in and to said mortgage and the property therein described, and such assignee of said mortgage may use the name of the state in foreclosing said mortgage or enforcing the same. But the state shall not in such case be liable for any costs or expenses touching the same, or in any way arising out of such assignment of said mortgage or the foreclosing the same by such assignee.

Sec. 6. Any person or persons who may take said mortgage by sale, transfer and assignment as herein before provided, on payment being made for the same as above provided, may thereupon become entitled to and have, enjoy and exercise all the rights, privileges and franchises, and may take, have, hold and enjoy the property, premises and appurtenances conveyed in and by said mortgage, and all right interest and estate which the state has or may have in, or by virtue of said mortgage, in as full and ample a manner as the state has, or may be or is authorized to take, have, or enjoy the same; and may proceed to sell the same by virtue of the power contained in said mortgage in the manner prescribed in an act entitled 'an act to provide for the relief of the Detroit and Pontiac rail-road company,' approved March 5, 1838; first giving notice by advertisement as therein prescribed, or in any other manner allowed by law; and the purchaser or purchasers at such sale may take, have and hold the said premises appurtenances, rights, privileges and franchises, so far as the same are conveyed and authorized to be sold in and by said mortgage: and may proceed to elect or appoint a board of directors and continue to enjoy the rights and privileges in and by said mortgage conveyed.

Sec. 7. The state shall in no case be held responsible or be liable for any failure or defect of title to any of the above described property, rights, privileges, appurtenances or franchises, accruing or to accrue to any person under the provisions of this act.

Sec. 8. In case the state become the purchaser of said railroad and its appurtenances, at said sale on said mortgage, the said road shall be under the management and control of the board of internal improvement, and they shall conduct and manage the same in such man-

ner as they shall deem most condusive to the interests of the state; and all laws now or hereafter to be in force in this state and applicable to the public works of this state, shall from and after such purchase be liable to be applicable to the said road and its appurtenances; and any person or persons in any way obstructing or injuring the said road or its appurtenances, or obstructing or hindering the state in the use of the same, shall be liable to the same penalties and punishment as are now provided by law in relation to the other public works of this state.

Sec. 9. This act shall take effect and be in force from and after its passage.

The following communication was announced:

SENATE CHAMBER, }
May 18, 1846. }

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill to authorize the commissioners of highways of the township of Leoni, in the county of Jackson, to alter a portion of the territorial road in said township;' and the 'bill to amend an act entitled an act to provide for laying out a certain state road, and for other purposes,' approved March 24, 1845, and to respectfully inform you that the Senate have non-coucurred therein.

Also, to return the 'joint resolution of instruction to the adjutant general,' which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also, to return the 'bill relative to the preservation of the records of the legislature,' which the Senate have passed with amendments, in which they respectfully ask the concurrence of the House.

Also, to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the 'bill in regard to the Erie and Kalamazoo Railroad company,' and have ordered the bill as amended to be enrolled.

Also, to transmit a 'bill to repeal the act entitled an act to incorporate the stockholders of the Bank of River Raisin, approved June 29th,' 1832, and all the acts amendatory thereto,' which the Senate

have passed, and in which the concurrence of the House is respectfully asked.

Also, to respectfully inform you that the Senate have discharged the last committee of conference upon the 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac Railroad,' and that Senators Robinson, Green and Williams have been appointed a new committee thereon.

Also, to respectfully inform you that the Senate have concurred in the report of the committee of conference upon the general appropriation bill.

Respectfully, &c.,
JAMES E. PLATT,
Secretary of the Senate.

The Senate amendments to the 'bill to provide for the preservation of the records of the legislature,' were concurred in and the bill ordered to be enrolled.

The 'bill to repeal an act entitled an act to incorporate the stockholders of the bank of River Raisin, approved June 29, 1832, and all the acts amendatory thereto,' was read the first time, when

Mr. Patterson moved to lay the bill on the table, which motion was lost.

Mr. Hazelton moved that the further consideration of the bill be indefinitely postponed, which motion was lost.

The bill was then read the second time, and

On motion of Mr. Noble, amended by adding the following section thereto:

'Sec. —. The said corporation shall have all the privileges, and be subject to all the liabilities and provisions contained in section seven, chapter three, title ten, part one, of the revised statutes.'

Mr. Hand moved to amend the bill by striking out all after the enacting clause, and inserting the following:

'That the attorney general be, and he is hereby directed forthwith to institute and prosecute proceedings by quo warranto, for the purpose of obtaining a judgment of forfeiture of franchises against the Bank of River Raisin, for violation of its charter.'

Which motion prevailed by the following vote:

YEAS.

Mr. A. C. Baldwin,	Mr. Hazelton,	Mr. Patterson,	
Barrett,	Hollister,	Rice,	
Chubb,	Leach,	Sanborn,	
Davis,	T. Lewis,	Wakeman,	
Edmunds,	W. Lewis.	Walker,	
Hand,	Ord,	Wing,	
Hawley,	Parsons,	Speaker,	21

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Mr. Ames,	Mr. Graham,	Mr. Peck,	
Andrews,	Jones,	Pierce,	
Barbour,	Kennedy,	Scott,	
Brotherson,	Noble,	Sprague,	
Glen,	O'Malley,	Toll,	15

The bill was then ordered to a third reading, the rule suspended, and the bill read the third time and passed by the following unanimous vote:

YEAS.

Mr. Ames,	Mr. Hand,	Mr. Parsons,	
Andrews,	Hawley,	Patterson,	
A. C. Baldwin,	Hazelton,	Peck,	
Barbour,	Hollister,	Pierce,	
Barrett,	Jones,	Rice,	
Brotherson,	Kennedy,	Sanborn,	
Chubb,	Leach,	Scott,	
Davis,	T. Lewis,	Sprague,	
Dunham,	Noble,	Toll,	
Edmunds,	O'Malley,	Wakeman,	
Giddings,	Ord,	Walker,	
Glen,	Palmer,	Speaker,	
Graham,			37

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On motion of Mr. Peck, the title was so amended as to read, a 'bill authorizing proceedings to be commenced against the Bank of River Raisin.'

Mr. A. C. Baldwin, from the second committee of conference on the disagreement between the two Houses on the 'bill to provide for the adjustment of the mortgage held by the state on the Detroit and Pontiac railroad,' reported that the committee could not agree, and asked to be discharged.

The report was accepted and the committee discharged.

The Senate amendments to the joint resolution of instructions to

the Adjutant General' were concurred in, and the joint resolution ordered to be enrolled.

Mr. Ord, from the committee on engrossment and enrollment, reported that the following bill and joint resolution were correctly enrolled, and were this day presented to the Governor for his approval:

A 'bill relative to the preservation of the records of the legislature;

And a 'joint resolution of instruction to the secretary of state.'

The following communication was received from the Senate:

SENATE CHAMBER,
Detroit, May 18, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to return the 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of River Raisin, approved June 29, 1842, and all acts amendatory thereto,' and to respectfully inform you that the Senate have non-concurred in the House amendment thereto.

Your obedient servant,

J. E. PLATT,
Sec'y of Senate.

On motion of Mr. Hand,

The House adhered to their amendment to the 'bill to repeal an act entitled an act to incorporate the stockholders of the Bank of River Raisin, approved June 29, 1842, and all the acts amendatory thereto.'

Mr. Brotherson, from the committee on engrossment and enrollment, reported that the 'bill making appropriations to defray certain expenses authorized for the year 1846,' was correctly enrolled, and was this day presented to the Governor for his approval.

The Speaker having called Mr. Patterson to the chair,

Mr. Jones offered the following resolution, which was unanimously adopted:

Resolved, That the thanks of this House be tendered to the Hon Isaac E. Crary, for the able and impartial manner in which he has presided over its deliberations, and for the uniform, kind and courteous demeanor which he has manifested to the members of this body.

Mr. Brotherson offered the following resolution, which was unanimously adopted:

Resolved, That the thanks of the House be tendered to A. W. Hovey, chief Clerk, and M. E. Van Buren, engrossing, enrolling and

recording clerk of the House of Representatives, as well for their gentlemanly deportment in all their relations to this body, as for their prompt and efficient discharge of the laborious duties of their respective offices during the session.

The following communications were announced:

EXECUTIVE OFFICE,
Detroit, May 18, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the Secretary of State, 'an act to provide for paying salaries of state officers for the year one thousand eight hundred and forty-six.'

Also 'an act to incorporate the Kalamazoo river railroad company.'

Also 'an act to amend an act entitled an act to incorporate the Corunna and Northampton Turnpike company, approved May four, eighteen hundred and forty-six.

Also 'an act to amend an act entitled an act in relation to the state printing, approved February six, eighteen hundred and forty-three.'

Also 'an act relative to the preservation of the records of the legislature.'

Also a 'joint resolution of instructions to the Secretary of State.'

Also 'an act making appropriations to defray certain expenses authorized for the year eighteen hundred and forty-six.'

ALPHEUS FELCH.

EXECUTIVE OFFICE,
Detroit, May 18, 1846.

To the House of Representatives:

I have this day approved, signed and deposited in the office of the secretary of state, 'an act for revising and consolidating the general statutes of the state of Michigan.'

In announcing to the House the approval of the revision of the laws, I deem it my duty to say that I have been unable to give to the provisions of the bill that careful consideration which I could have desired. The great length of the enactment and the press of other official duties have rendered the very short time during which it has been before me, insufficient to allow more than a hasty glance at its contents. This is more particularly the case in regard to those portions of it, in which the great innovations and changes are made.

That careful scrutiny which a law of so much importance demands,

that comparison of the various provisions with the other portions of the same law, and with the state constitution, that reflection upon the adaptation of its provisions to the business, the wants and the habits of the community, which alone can determine as to its practical operation, have for the reasons above stated, been almost precluded. Having received the careful attention of the legislature during a long and laborious session, devoted in a great measnre to perfecting its provisions, and having been sanctioned by a large majority of both branches, I have deemed it my duty, however, at once to file the revision in the proper office as a law.

I have done this the more readily becouse the whole revision being but one bill, no objection to any particular provision of it could be made by me without w thholding approval from the whole. I have also done it with less reluctance, becausebefore its provisions are to go into operation, another legislative session will be held, and to that body any objections or defects that may upon mature reflection be discovered, can be made the subject of suggestions by the Executive, and can receive the appropriate legislative action.

ALPHEUS FELCH.

The following message was received from the Senate:

SENATE CHAMBER,
Detroit, May 18, 1846.

To the Speaker of the House of Representatives:

SIR:—I am instructed by the Senate to respectfully inform you that Senators Smith and Maynard have been appointed a committee on the part of the Senate to join a like committee on the part of the House, to wait upon the Governor, and to inquire if he have any communications to make to the legislature at its present session.

Respectfully, &c.,
J. E. PLATT,
Sec'y of Senate.

On motion of Mr. Brotherson,

It was ordered that a committee of two be appointed to act with a like committee on the part of the Senate, to wait on the Executive, and inquire if he has any further communication to make.

The Speaker *pro tem.* appointed as such committee, Messrs. Brotherson and Walker, who after a short absence returned and reported that they had discharged the duty assigned them, and had received

for answer from the governor, that he had no further communication to make.

On motion of Mr. Hand,

A committee was ordered to be appointed to wait on the Senate and inform that body that the House had no further business before it, and was now ready to adjourn *sine die*, and after a short absence, the committee returned and reported that they had discharged the duty assigned them.

A committee from the Senate was announced, consisting of Senators Thurber and Fenton, who informed the House that the Senate was now ready to adjourn *sine die*.

The Speaker then resumed the chair.

Mr. Walker moved that the House adjourn *sine die*, when

The Speaker rose, and addressed the House as follows:

Gentlemen of the House of Representatives:

We are about to separate, but before that separation takes place, allow me to return you my grateful acknowledgements for this kind expression of your friendly feelings, and for the uniform good will you have manifested towards me. During the session, it has been your duty to pass upon a general revision of the laws, as well as to provide for existing wants and present overwhelming necessities. This has been labor, long, arduous and protracted, and you have devoted yourselves to the work in a manner honorable to the representatives of an intelligent and enlightened people. You are now about to return to your constituents, your homes, your families and firesides. May that return be accompanied with many cordial and heartfelt greetings, and attended with a consciousness on your part that you have done your duty to yourselves as men—to the state as citizens, and to the cause of republican institutions as members of the great human family.

The House then adjourned *sine die*.

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